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REVIEW

Formerly Millard's Review

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PROTECTING THE EXPENDITURE OF THE U. S. BOXER FUNDS

A United Press dispatch from Washington dated April 10 published in the *China Press* last week stated that the Committee on Foreign Relations of the House of Representatives is preparing a report recommending that the remainder of America's portion of the Boxer Indemnity amounting to G. \$12,455,500 due from China be remitted. "The Committee will propose enactment of a bill which would permit the President of the United States to decide for what purposes the funds should be used," said the *United Press* dispatch. In last week's issue of the *Review* there appeared another report from Washington from the *Review's* correspondent, Mr. Jack Underwood, stating the probability that *when this money is Returned to China, it would be returned to China in one of two ways: The money would be returned to China directly by the President of the United States with no strings attached—or it would be returned to China through the medium of an American-Chinese Boxer Indemnity Foundation, the majority of which Board would be composed of Americans and the President and Treasurer would be American citizens.*

ALTHOUGH the amount of money still due the United States on the Boxer Indemnity account amounts to G. \$12,455,500, this does not mean that there is this sum of money in the American Treasury. The amount actually on hand is G. \$720,000 including the March 1924 payment. The monthly payments average G. \$45,000 a month or G. \$540,000 annually and according to the Boxer protocol they are to continue until December 1945, when the full amount as noted above will have been paid. As stated previously in these columns there can be no question of America's intention to return this money to China, the only question being how best to do it in order that the Chinese people may benefit therefrom. Americans residing in China and familiar with conditions in this country believe that returning the money directly to the Chinese government at this time would not result in benefits to the Chinese people and for this reason they have recommended the formation of an American Boxer Indemnity Foundation in China which would handle the money as a revolving trust fund to be expended upon projects which *would* benefit the Chinese people. To return the money directly to the Chinese government at the present time with the government controlled by irresponsible and unconstitutional military functions as it is, would be equivalent to a further contribution to the evil of militarism. Some of the money might go into meritorious projects but the major portion would go toward the purchase of munitions and the recruiting of further soldiers for use in the present purposeless internal strife. To turn the money over to a

responsible Foundation composed entirely of Americans or of Americans and Chinese would insure the honest use of the money for the benefit of the Chinese people. If such a foundation were created it could investigate specific propositions along the lines of education or reclamation work and make advances in accordance with the merits of the proposition. This is the method which is being followed in respect to the balance of the China Famine Fund, approximately G. \$1,000,000, which was raised in America some two years ago and it provides an excellent precedent for the disposition of the balance of the American portion of the Boxer Indemnity.

IN this connection it is well to consider here the actions of the British and Japanese governments in respect to the disposition of the balances of their portions of the Boxer Indemnity, both of which are much larger than the American portion. The British portion of the Indemnity which is still due amounts to approximately £11,000,000 or expressed in annual payments about £400,000 a year. The total amount of Japan's share of the Indemnity still outstanding is not known but the annual payments, according to a recent report amount to Yen 1,820,000 a year. Although the ideas of the British government are apparently not yet definitely formulated, that government did in 1922 state its intention "to devote the remaining British share of the Boxer Indemnity to purposes mutually beneficial to China and Great Britain" At the last annual conference of the Associated British Chambers of Commerce in China a resolution was passed as follows:

"That this Conference urges that immediate steps be taken by H. M. government to give practical effect to the intention which it has publicly announced to devote the British share in the outstanding portion of the Boxer Indemnity to purposes mutually beneficial to Great Britain and China and strongly recommends that pending its final decision, as to the allocation of the money, some portion of it may be placed forthwith at the disposal of the Educational Committee of the Association of British Chambers of Commerce in China and Hongkong so as to render possible the continuation of the Chambers' grants in aid of British educational and medical institutions in China and the work which is dependent upon them."

IN addition to this action, the last issue of the British Chamber of Commerce *Journal* published in Shanghai told of a meeting held in London a few months ago participated in by British business men from China, representatives of important British missionary bodies, Sir John Jordan, former British Minister to China, and Professor Roxby of Liverpool University at which time it was recommended the following organizations should be formed for the administration of the British portion of the Indemnity:

- (a) A body or committee representing the British government to decide upon the principles on which the money should be used.
- (b) A body or committee resident in China to put these principles into practice.
- (c) A permanent secretary to this latter body.

The same issue of the *Journal* also told of the action last January of a sub-committee of the Manchester Chamber of Commerce which submitted a memorandum to the British Foreign Office recommending that the Indemnity should be used for the following projects:

- (1) Educating Chinese students on British lines in China and Britain.
- (2) Supporting British medical work in China.
- (3) Encouraging and supporting Chinese native industries, apart from the introduction and encouragement of industries of a foreign nature.

FROM the standpoint of the intentions of the Japanese government in respect to the disposal of its share of the China Indemnity the latest information available is an interview with Mr. K. Asaoka, Councilor of the Bureau of Japan's "Cultural Enterprises" in China which appeared in the Shanghai newspapers on April 1 when Mr. Asaoka was in this city. In this interview he in part said:

"Japan's cultural enterprises in China may be divided into two kinds, those for the benefit of the Chinese people, and those under the management of the Japanese people in China. There are also two sorts of revenues from which the income of the special finance of the Bureau in question is obtained, viz., the income accruing from Japan's share of the Boxer Indemnity and the income accruing from the settlement of the Shantung issue. According to estimates available, the former amounts to Yen 1,820,000 (annually) and the latter Yen 780,000. The enterprises to be placed under Japanese management will be carried out with the latter income whereas to those which are chiefly for the benefit of the Chinese people, the former income will be applied."

We assume from the above that Japan intends to use the balance of her share of the Boxer Indemnity for "cultural work" among the Chinese and the income from the former Japanese interests in Shantung such as the Kiaochow-Tsinan Railway and other interests transferred to China in accordance with the terms of the Shantung Treaty negotiated at the Washington Conference to the service of the Japanese people in China. The recent actions of the Chinese military leaders in commandeering the revenues of the Railway, probably removes the Shantung fund from Japan's reach, but the Boxer Indemnity still remains and among the "cultural" enterprises which have already been undertaken Mr. Asaoka mentions the financing of exchange lecturers between Japan and China, exchange of inspection parties between the two countries, providing school expenses to Chinese students in Japan, relief work among Chinese earthquake sufferers in Japan and transportation to their homes and in addition to these enterprises two major projects as follows:

- (1) Establishment of a library and culture-sciences research institute in Peking.
- (2) Establishment of a natural-science research institute in Shanghai.

In respect to the purposes of these latter enterprises Mr. Asaoka concluded his interview as follows:

"As for the establishment of the above library and institutes in Peking and Shanghai, the Japanese government, subject to an approval by the Diet, intends to accelerate the establishment of these enterprises by defraying a greater part of the funds required out of the special finance. In view of the fact that the enterprises in themselves are of utmost importance for the development of the Oriental culture, the government of Japan intends to carry out these enterprises with the assistance of and in cooperation with the government and people of China."

ALLEGED FRANCO-JAPANESE UNDERSTANDING!

CONSIDERABLE interest was aroused in the Far East last week through the publication of a *Reuters* dispatch from London dated April 11 which quoted the London *Daily Telegraph* as stating that "it is believed—that a Franco-Japanese understanding is now in existence, covering Pacific and Chinese questions." The diplomatic correspondent of the *Telegraph* then went on to explain his reasons for the foregoing belief based upon the "recent cooperation of the French Minister and the Japanese

Cabinet at Tokyo" and said further that "it has not escaped notice that the Japanese delegate on the League of Nations Council, who formerly voted on the side of Britain in Central European issues, voted with France at the two last sessions on questions like the Saar."

THE foregoing is the first publication in a responsible newspaper of a widely held belief during the final sessions of the Washington Conference that Japan and France had arrived at some kind of an understanding not only in respect to Pacific and China questions but also on the subject of limitation of armament. It was on the subject of limitation of armament that the possibility of such an understanding was first suggested because it was these two powers acting either singly or in unison which prevented the complete adoption of the original program laid down by Secretary Hughes at the opening session of the Conference. The antagonistic attitude of the French delegation prevented consideration of a limitation of land armament or a limitation of submarine fighting craft while Japan's insistence upon retaining the battleship *Mutsu* caused a considerable readjustment of the original program of capital ship limitation and also prevented adoption of a program of limitation for ships of the cruiser class.

THE above actions of France and Japan at the Washington Conference may of course have been purely accidental, but as stated above the feeling undoubtedly existed that these two powers were working together to prevent the fullest accomplishment of the aims and ideals of the meeting as originally conceived. Whether the actions of Japan and France on particular problems arising in the Far East since the Washington Conference have tended to show the existence of a private understanding in respect to China is difficult to state from the standpoint of definite facts. It was generally understood to be Japan which prevented the adoption of a unified action on the part of the Powers in respect to the bandit situation during the progress of the so-called Lincheng Outrage last year and later on when the question of obtaining unified action in respect to the matter of protecting the Chinese railways against banditry and military disorders, it was Japan which again blocked action. At the present time it is France which is blocking the calling of the Special Conference authorized at the Washington Conference for the purpose of readjusting the Chinese customs duties and providing for the abolition of *likin*. There have also been rumors in circulation regarding an understanding between Japan and France in respect to Japanese enterprise in French Indo-China and recently there was the charge of Mr. Karakhan on behalf of the Russian mission that French influence was being exerted to block China's recognition of Soviet Russia. There are many very logical reasons why Japan and France should work together on their policies in respect to Russia which do not require amplification.

HOWEVER, as stated above the evidence of a private Franco-Japanese understanding in respect to Pacific and China questions is purely circumstantial, at least from the standpoint of an outsider. Possibly the legations at Peking have more concrete evidence but if so it has not been permitted to leak out to the press in the Far East. There is one important element which would seem to make a secret understanding on the part of France and Japan in respect to China highly improbable and that is the resolution adopted at the Washington Conference on

February 1, 1922 entitled, "Resolution Regarding Existing Commitments of China or with Respect to China." This resolution provides that "the powers consider it desirable that there should be hereafter full publicity with respect to all matters affecting the political and other international obligations of China and of the several Powers in relation to China and therefore agree as follows: .

"The several Powers other than China will at their earliest convenience file with the Secretariat General of the Conference for transmission to the participating Powers, a list of all treaties, conventions, exchanges of notes, or other international agreements with they may have with China, or with any other Power or Powers in relation to China, which they deem to be still in force and upon which they may desire to rely."

According to a *Reuters* dispatch from London dated April 14, Mr. Ramsay MacDonald stated in the House of Commons that he had no information with regard to any new defensive treaty between Japan and Rumania giving mutual guarantees against Russian invasion of Bessarabia and the Japanese possessions in Saghalin in the Far East.

THE PHILIPPINE PROBLEM FROM A NEW ANGLE

IN the Philippine Islands there exists an American Chamber of Commerce with a membership of twelve hundred—the largest Chamber outside the continental borders of the United States—and one which is composed of men who have made a careful study of conditions in the islands in which they have their residence. These men have come to certain conclusions based on years of acquaintance with the Filipinos through business, social, and governmental relations, and these conclusions having been published, are now the subject of widespread discussion. The members have recently passed a resolution in which they have frankly and decisively advocated the assertion by the American Congress of the establishment of a territorial government for the islands under the sovereignty of the United States permanently. As an *apologia*—an explanation, not an apology—they have recently issued an interesting and valuable pamphlet entitled "The Philippine Problem Presented from a New Angle." The stand taken by the American Chamber "has naturally raised a doubt in the minds of many people as to whether the Americans in the Islands have not been recreant to the 'solemn promise' of independence alleged to have been given by the people of the United States," says the Foreword of the pamphlet. "Almost from the moment of American occupation, the people of the United States have been led to believe that such a promise had been given. The statement has been reiterated time without number by both Americans and Filipinos until today it is safe to say that nine out of ten people who have but a surface knowledge of the Philippine question labor under the belief that such a commitment has been actually and authoritatively made." It is to refute these statements—which, after all, no reader of Professor Dean C. Worcester's masterly work "The Philippines Past and Present" needs to have refuted—as well as to justify its recent resolution that this thought-stimulating little study has been prepared by Norbert Lyons, editor of the American Chamber of Commerce *Journal*. Almost equally interesting and valuable for the student of the Filipino Independence question is a speech given recently by the Hon. J. Sloat Fassett, ex-member of Congress, ex-President

of the New York State Senate, and now President of the Insular Lumber Company. This has recently come to hand, and from these two and a comparison with certain pungent comments from others who have lived and observed in the Philippine archipelago we present a few facts for the consideration of our readers, Chinese and American, many of whom have connection of one kind or another with these islands and their people and who are more than a little interested in the development of a land and a people so near the mainland of China.

IT is now a little over a quarter of a century since the Philippine group was annexed by the United States. Space permits no more than a bare mention of a few of the results of the quarter century's work done by the Americans or with their aid. When the islands were taken over the conditions in them were serious in the extreme. There was no public order, great areas were held by wild and savage tribes over which neither the civilized Filipinos nor the Spanish rulers had any actual control. Sanitation was practically unknown, and terrible epidemics were common. Education was, generally speaking, non-existent for the great majority of the inhabitants. Means of communication were nil. As a result of annexation public order has been evolved not only among the Filipinos of the cultivated lowlands, but among the former head-hunting Igorotes of the north, and the blood-thirsty, fierce-fighting Moros of the south. The Filipinos themselves have been allowed to participate directly in the government through their own legislature. Filipinos, Igorotes, Moros have been recruited in the Philippine Constabulary—an admirable body of men who have not only served as enforcers of peace, but as aids to the scientific work of the government. A strong and just judicial system has been built up which is not reserved for the use of the wealthy and powerful. Epidemics of disease have been prevented and the health conditions raised to a high standard of efficiency by the scientific work of the Americans and their government.—On this one subject volumes have been written. Primary, Intermediate, High, and Normal schools, as well as the University of the Philippines, and professional schools, have been established. Railroads have been built, trade developed between the islands themselves, and between the islands and the United States and foreign countries. Moreover religious liberty has been established and maintained. "The Filipinos have been apt pupils and helpers, but when Osmena talks of the 'great progress of the Filipinos under American supervision,' he is talking, in plain language, rot. It has been, not American 'supervision', but American initiative, American driving, often against the apathy or the opposition of the Filipinos, the strong arm of America in the velvet glove of her representatives, which has done the whole thing. With that strong arm withdrawn there can be only a catastrophic slipping back from the goal," says Marguerite Wolfson, for over twenty years a resident and keen observer in the Philippines.

THE degree to which the islands had advanced under American tutelage led the Democrats when they came into power in 1913 to attempt a radical experiment. During the administrations of the late President Wilson many of the American holders of office were withdrawn and supplanted by native sons. The Governor-General himself held the shadow rather than the substance of power, and a Council of State which had for its purpose "to aid and advise the Governor-General on matters of

public importance" and which was composed of the Speaker of the Philippine House, the President of the Senate, and the heads of the executive departments held most of the power—with the consent to be sure of the compliant Governor-General Harrison. The results of the Democrat experiment were interesting in the extreme. During this regime the National Bank failed with losses of \$37,000,000 gold—the bank's assets had at one time been more than \$150,000,000 gold. "In addition to entering the banking business, the Philippine Legislature has also purchased the Manila Railway, chartered the National Coal Company, the National Iron Company, the National Cement Company and organized the National Development Company, for the purpose of engaging in any commercial or agricultural enterprise necessary for the public welfare." Governor-General Wood, upheld by Secretary-of-War Weeks, has insisted that the Philippine government withdraw from business and this has created a furore and added fuel to the fiery demand for independence.

LET us now consider briefly this much discussed question. In the first place we may ask what is the present political status of the Islands? On October 28, 1915, Attorney-General Gregory stated in an opinion to the Secretary of War, "While, like Porto Rico, the Philippine Islands are not incorporated in the United States, they clearly are territory of the United States, and to the extent that Congress has assumed to legislate for them, they have been granted a form of Territorial government, and to this extent are a Territory." Justice George A. Malcolm in his standard work on Philippine Constitutional Law (p. 192) states categorically "the Philippines are an unincorporated territory," and Justice Romualdez, of the Philippine Supreme Court in a recent decision spoke of the Philippines as "an organized territory though not incorporated with the Union." But how did the United States government obtain a valid title to the Islands, provided the title be valid? Before 1898 for three hundred years no one questioned the legality of Spain's title to the Islands. By conquest, by purchase—for \$20,000,000 gold—and by treaty with Spain, and finally by subjugation of the islands themselves the American government has proved its title to the islands. Justice Malcolm in the work previously quoted says (pp.185-7), "The United States as an independent state must be presumed to have retained sovereignty over all places subject to its jurisdiction. In fact the United States Supreme Court has held that during the term of pupillage, territories and dependencies do not constitute a sovereign power. The same court having in mind the title acquired by the Treaty of Paris, has further said that the Philippines 'came under the complete and absolute sovereignty and dominion of the United States.' Again the court has said that 'the jurisdiction and authority of the United States' over the Philippines, 'for all legitimate purposes of government, is paramount.' And the Congress of the United States, while stating in its Act of August 29, 1916, that it was 'desirable to place in the hands of the people of the Philippines as large a control of their domestic affairs as can be given them,' was yet careful to add, 'without, in the meantime, impairing the exercise of the rights of sovereignty by the people of the United States.'—Notice that the rights of sovereignty do not lie with Congress, nor with the President of the United States, but with *"the people of the United States."* It seems fairly clear while the Federal government of the American

union has the power to annex, it has no right to alienate territory once annexed, for the Constitution provides only for the making of needful rules and regulations for the *government* of its territory. If then the Federal government has no authority to sell or to give independence to territory once annexed where does such authority lie? Sixty-three million acres of land in the Philippines form a portion of the public domain the title to which is by the Treaty of Paris vested in the people of the United States, not in Congress. The Tenth Amendment of the Federal Constitution expressly declares: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people." It follows therefore that since the power here discussed is not among those delegated to Congress, nor prohibited by the Constitution, it is "reserved to the States respectively or to the people." If then the question of granting independence should ever become an issue to be settled in practice as well as in theory it would seem fairly clear that it can be done only by means of a plebiscite held throughout the entire American nation in which all citizens will participate, or by amending the Federal Constitution to that effect.

WHETHER the Philippine Islands should ever be granted complete independence we do not now propose to discuss inasmuch as *ever* refers to a very long time. But one or two aspects of the question are both interesting at present and of practical value. Have the Filipinos ever been promised independence as is so often asserted and apparently so widely believed by Filipinos and Americans? Can independence be considered to be consistent with protection by a "foreign" power or powers? Are the people of the Philippine Islands now ready for independence? In 1914 Dean C. Worcester, in his standard work mentioned above made a careful and documentary study of the oft-cited "promise" made by the Americans in reference to independence; he showed conclusively that no such promise was ever made by responsible persons who alone would be qualified to make them. To the same conclusion one is likely to arrive after a perusal of the able study published ten years later by Mr. Lyons. The widely advertised Preamble to the Jones Act of 1916 does not promise independence, and even if it had contained such a promise it would have been of no value since a preamble is not an integral part of a statute—according to decisions of the U. S. Supreme Court, for example, the Preamble to the American Constitution is not a part of that document; moreover Congress has no authority to make such a promise. In the Preamble to the Jones Act, it may be added—and this is noteworthy—that express reference is made to "the exercise of the rights of sovereignty by the people of the United States which are not to be 'impaired.'" At the time that the Jones Bill was before Congress there was an attempt to amend it—the Clark Amendment—by which independence was provided for within four years. This was defeated and it showed conclusively that the "framers of the present system of government in the Philippines contemplated neither full self-government nor immediate independence."

THERE seems to be a rather widespread impression, and the spreading of this impression is not at all accidental, that the Filipinos are, under their darker skin, exactly the same in ability as the Americans and the English as far as general civilization and comprehension of the problems and

the means of government are concerned. Now this impression we do not for one moment hold. We do not believe in "superior" and "inferior" races, that is that there is inherently any more ability of all types in one people than in another, but we do believe that there are people who are as a group *backward* just as there are in any mass of human beings those who are brighter individually or more experienced or better educated than others. This is true in all walks of life. The Filipinos do not constitute a nation: among the eleven or twelve millions who inhabit the islands there are a million or more Moros and Igorotes and Negritos who range from lowest savagery to a more or less advanced barbarism. Among the majority there are various tribes such as the Tagalogs, Ilocanos, Cagayans, and Visayans who are none too friendly at times although the strong hand of the American government helps them to get along with each other. The leaders who are doing most of the shouting for independence are moreover by no means of pure native Filipino stock. There are two Filipino gentlemen of whom the "man on the street" has heard; they are Messrs. Osmena and Quezon—the former is largely Chinese, and the latter is largely Spanish; each has enough native blood to be considered Filipino. But if each were more nearly of pure Malayan stock it is problematical in the extreme whether their names would have been heard outside the confines of their native archipelago. More than twenty years ago Archibald Colquhoun in his "Mastery of the Pacific" said: "No Malay nation has ever emerged from the hordes of that race, which has spread over the islands of the Pacific. Wherever they are found they have certain marked characteristics and of these the most remarkable is their lack of that spirit which goes to form a homogeneous people, to weld them together. The Malay is always a provincial; more, he rarely rises outside the interests of his own town or village."

ALTHOUGH no promise of independence has ever been made to the Filipino people there is no doubt that at one time and another remarks have been made which have led them to expect that the United States government would shortly withdraw and make them a sovereign and independent state. This it seems to us has been unwise, and the result has been to raise essentially false hopes, to make the Filipinos and their leaders think rather of means of hastening the coming of independence than to prepare themselves to make adequate use of it if and when it does arrive; furthermore the wise and statesmanlike business methods by which Governor-General Wood has been trying to straighten out the tangled affairs of the islands have been greatly hindered by the critical and obstructionist tactics employed by the *politicos* of the archipelago. The time has come for the United States government without further hemming and hawing to lay down a definite policy as to the future status of the islands. It is not enough that President Coolidge should have told the independence-hunters at Washington that the time has not yet come: this merely defers without settling, and leaves the question open to the dissatisfaction of all parties. The United States should either govern the islands or get out definitely—and in connection with the latter part of this suggestion it is well to bear in mind the reception of a delegation recently by Governor-General Wood in Manila of Moros from the southern islands who strongly urge the American rulers not to attach undue importance to the demands of the *politicos* of Manila and Washington but to go ahead with the work which is satisfactory to the Moros and which is not yet finished. After taking

responsibility for educating the people of the islands the American government should certainly carry on and not leave a job half-done. The experienced American rulers are better qualified to judge of the readiness for independence of the Filipinos than are the people themselves who have, after all, had less than one generation of education for a difficult and intricate job. The experiment of the Wilson-Harrison regime was not of the type—nor were the results of the experiment—to justify the Americans in stopping their work in the islands. It may be that in another half or three-quarters of a century the condition of the islands and their inhabitants will be such as to warrant absolute and permanent withdrawal. A century is no long time in the history of a country and a people, and there is no reason for attempting to rush a job which in its very nature cannot be hurried. The Wood-Forbes report recommended—and this report should be carefully considered by every intelligent American and Filipino—"that the present general status of the Philippine Islands continue until the people have had time to absorb and thoroughly master the powers already in their hands," and "that under no circumstances should the American government permit to be established in the Philippine Islands a situation which would leave the United States in a position of responsibility without authority."

New York Chinatown's Last Queue (From the New York Times)

In the passing of Chin Tong Way there was removed from the social centre of Chinese New York the last embodiment of that Manchu greatness which was once Imperial China, for Chin Tong Way possessed the only unshorn head in all that warren of swirling Oriental life that makes of Mott, Pell and Doyers streets a bit of East in the West.

A respected merchant was Chin Tong Way. He was seventy-four years old and he had maintained an "emporium" of general merchandise in tortuous Doyers street for many, many years. His coming to America antedated the stricter exclusion acts and he had in his heart vivid recollections of the days when the Brother of the Sun and Moon ruled over the four hundred millions of Celestials, when the picturesque dragon flag was the emblem of Peking's greatness and the fashions ordained by Manchurian masters ruled from the Siberian boundary to the Tibetan fastnesses and the Gulf of Tongking.

So Chin Tong Way wore his queue because he had been taught so to embellish his cranium away back in ancient days, and such a trifling matter as a revolution, a brand-new republic, modernist movements and the demolition of a Manchu dynasty were insufficient to disturb his calm or change for him the styles of his forebears.

It is not so very long ago that a head clipped in Western fashion was a rarity in Chinatown. Twenty years back only the most advanced dwellers in the bailiwick of the late Chuck Conners braved the criticism of their saffron tinted neighbors and appeared in public queueless. Queues were not worn pendent, because gamins and rude youths were apt to give the swinging tail a tweak. But coiled around the crown of every Chinese head was a queue of inkblack hair, not invariably the wearer's own, and on ceremonial occasions the queues were turned loose and displayed in all their decorative glory.

The revolution and the establishment of the republic was promptly accepted by the Chinese of New York and America generally. Only a few Tories of the type of Chin Tong Way raised any objection and scorned the barber. But there were a few, and now the last of them has gone.

1923 Good Roads Report

The summary of work done in 1923 by the National Road Construction Association of China now being distributed, shows very considerable activity and progress. The year closed with about 90,000 members and collections of \$110,000. Many miles of road were built under the encouragement of the Association, and educational work and plans for further accomplishment were executed. Dr. C. T. Wang is president of the Association and Wu San, general secretary.

A Criticism of China's New Constitution

BY DR. FRANCISCO VILLANUEVA CONLU

ON October 10, 1923, the twelfth anniversary of the Chinese Revolution, the permanent Constitution of the Republic of China was promulgated to replace the provisional Constitution of fifty-six articles promulgated at Nanking on March 11, 1912. This new Constitution is the fundamental, basic law, written for the Chinese people, operating directly on the Chinese people, and adopted by the Chinese people themselves. The framers of this new charter deserve all kinds of praise and commendation for the great and valuable work attained, thus solving one of the momentous problems of China, the lack of a permanent constitution. In general, the new document provides for a satisfactory plan of government for the Chinese people. However, since there is not any man-made thing that is perfect, it is believed by some observers that the new Constitution could still be improved to the great advantage of the people on whom it is intended to operate, and undoubtedly with the approval of its original framers.

The new Constitution of China is contained in one hundred and forty-one articles, grouped in thirteen chapters, namely: (1) form of government; (2) sovereignty; (3) territory; (4) citizenship; (5) national powers; (6) parliament; (7) the president; (8) the cabinet; (9) courts of justice; (10) the law; (11) national finance; (12) local government system; and (13) amendments to as well as interpretation and validity of the Constitution.

The Preamble—In a previous article in the *Review* entitled the constitution of China and the constitutional law of the Philippines I laid special stress on the importance and significance of the constitutional preamble. The new Chinese Constitution begins with the following preamble:

"The Constitution Conference of the Republic of China, with the object of establishing the national dignity and maintaining the national boundaries, and in order to promote the welfare of the people and uphold the principles of humanity, has hereby ordained the present Constitution for promulgation to the whole country, to be permanently observed by all."

This preamble fails to use the words "We, the people." The national constitution is the people's law. It is written and promulgated under direction from the people, to be enforced on the people. The Constitution Conference of the Republic of China that framed the new constitution is only a committee entrusted with delegated powers to work out a plan of government for the people, to be submitted to the people.

The Constitution of the United States of America was framed by delegates assembled in convention at Philadelphia in the manner of the Chinese delegates of the Constitutional Conference of China. They were so conscious that they were acting for the people, that during the consideration of one of the fifteen resolutions brought forward by Governor Randolph of Virginia, proposing the working material of a constitution, it was resolved by the convention that the style of the new government should be "We, the people of the United States." The preamble of the American Constitution reads thus:

"We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America."

Political Status.—Articles 1 and 2 of the new Chinese Constitution defines the political status of the nation. These articles say:

"Article 1. The Republic of China shall be a unified Republic for ever.

Article 2. The sovereignty of the Republic of China is vested in the whole body of the people."

These two provisions could be improved to the extent of including several terms that assert the assumption by China of all the attributes of sovereignty as a sovereign and independent nation.

Territorial Boundaries.—In my previous article, I called attention to the unsatisfactory provision of article 3 of the Provisional Constitution of Nanking, wherein it was stated that

"the territory of the Chinese Republic consists of twenty-two provinces, Inner and Outer Mongolia, Tibet and Chinghai (Kokonor)."

The new provision, duly improved in accordance with my suggestion, reads as follows:

"Article 3. The territory of the Republic of China consists of all dominions in the possession of China. The territory and its division of areas shall not be altered except by law."

However, nothing is said by and under what instrument these dominions are in the possession of China either by treaty, by previous protocol or by agreement between the provinces, or by any other document that is above the constitution. The new provision also gives to Parliament ample and absolute power to alter the territory of the Republic, contrary to the main purpose of the Constitution, as stated in the preamble, which is to maintain the national boundaries.

Civil and Political Rights.—In my previous article, I stated that the provisions of the Nanking Constitution safeguarding the rights of the citizens of the Republic of China are not complete, sufficient, clear and well determined. Many amendments have been introduced in the chapter on citizenship in the new Constitution. However the new Chinese Bill of Rights, as it now stands, set forth in Chapter IV, is still defective. A written constitution has a function broader than that of determining the general character of the government which is to exist. It sets legal limits to the exercise of all public authority, and protects the individual against his own government with respect to his fundamental rights of life, liberty and the pursuit of happiness. These fundamental rights are often expressly enumerated in the constitution, and placed beyond interference by executive or administrative action. The provisions of the new Constitution of China, safeguarding civil and political rights, are couched in the following language:

"Article 6. Citizens of the Republic of China shall not be arrested, imprisoned, tried or punished except in accordance with the law.

Any citizen under arrest may in accordance with the law apply to a Court of Justice for a writ of habeas corpus.

Article 7. The residences of citizens of the Republic of China shall not be entered or searched except in accordance with the law.

Article 8. The secrecy of letters and correspondence of citizens of the Republic of China shall not be violated except in accordance with the law.

Article 9. Citizens of the Republic of China shall have the liberty of electing residence and profession, on which no restriction shall be imposed except in accordance with the law.

Article 10. Citizens of the Republic of China shall have the liberty of assembly and forming societies on which no restriction shall be imposed except in accordance with the law.

Article 11. Citizens of the Republic of China shall have the liberty of speech, authorship and publication, on which no restriction shall be imposed except in accordance with the law.

Article 12. Citizens of the Republic of China shall have the liberty to honor Confucius and to profess any religion, on which no restriction shall be imposed except in accordance with the law.

Article 13. Citizens of the Republic of China shall have an inviolable right to the possession of property; and any expropriation necessitated by a consideration of the public welfare shall be in accordance with the law.

Article 16. Citizens of the Republic of China shall have the right to petition Parliament and state grievances in accordance with the law.

Article 17. Citizens of the Republic of China shall have the right to vote and to stand for election in accordance with the law.

Article 18. Citizens of the Republic of China shall have the right to be employed in public services in accordance with the law.

Article 19. Citizens of the Republic of China shall have the obligation to pay taxes in accordance with the law.

The term used here for "law" is law made through the instrumentality of the Chinese Parliament. Under the above provisions it is believed that the Parliament can pass a law forbidding certain individuals from changing their residences or from following certain professions; a law forbidding the formation of certain societies in certain places; a law forbidding the delivery of certain speech in certain places; a law forbidding the admission of certain sect or religion in certain places; a law imposing excessive taxes which are not within the paying power of certain locality; a law providing that

residences of citizens can be entered or searched without any previous complaint made under oath and without any judicial warrant; a law giving discretion to post office officials to violate the secrecy of correspondence; a bill of attainder and an ex-post facto law. These kinds of laws in America, England and the Philippines, will be absolutely unconstitutional, null and void and will be considered as an attempt against individual rights of citizens. But here in China, in the light of the provisions above quoted it seems that they can be considered as proper laws and within the bounds of the new Constitution which authorizes the Parliament to impose restrictions on civil and political rights. I want to draw the attention of everybody to the use of the phrases "Except in accordance with the law" and "On which no restriction shall be imposed except in accordance with the law." Under the shield of these two phrases the welfare, safety and peace of the citizens of the Republic are placed at the mercy and discretion of Parliament which is not the government itself, but a branch thereof.

Some of the grounds of the Declaration of Independence of the American colonies were the British laws authorizing searches of houses and stores without any previous complaint under oath, and permitting the conviction of citizens of the crime of treason by circumstantial evidence.

The new Chinese Constitution does not contain a provision safeguarding individuals against conviction of treason by circumstantial evidence, instead of on the testimony of two witnesses to the same overt act, or on confession in open court. Many other necessary provisions safeguarding individual rights are omitted in the Chinese Constitution. For instance, it does not recognize specifically the right of the accused to have a speedy and public trial; to meet the witnesses face to face; to have compulsory process to compel the attendance of witnesses in his behalf; not to be put twice in jeopardy of punishment; not to be used as witness against himself in criminal cases; to be entitled to bail pending trial or appeal, except for capital offenses; not to be imprisoned for debt; not to be charged with excessive bails, excessive fines and cruel and unusual punishments; not to be put under slavery and involuntary servitude; etc., etc. No constitutional prohibition is set forth against quartering of soldiers in time of peace, in any house, without the consent of the owner, and against the levying of tax or duty on articles exported from any province. It is not provided that no person held to service or labor in one province escaping into another shall be discharged from such service of labor, but shall be delivered up on claim of the party to whom such service or labor may be due, as provided in the United States Constitution. The new Constitution of China does not establish the general principle that no money shall be drawn from the treasury, except in consequence of appropriations made by law, and that a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

There is a great difference between the meaning of the phrases "except in accordance with the law" and "on which no restriction shall be imposed except in accordance with the law" used in the Chinese Constitution and the significance of the phrase "without due process of law" employed in the American Constitution and in the Philippine Bill of Rights. "Due process of law" means the right to be given an opportunity to be heard and to be tried at a trial involving the elements of *res*, *judex* and *actor*, and does not authorize the legislative department of the government to curtail individual rights.

The new Constitution of China does not specify either the procedure and circumstances under which the constitutional guarantees may be suspended. In Western countries great care is taken in indicating the circumstances under which what in America is called "a declaration of martial law" and in Europe the establishment of a "state of siege," shall be permitted. Failing a proper provision in the Chinese Constitution there is the danger that arbitrary rule be sometimes substituted for constitutional government.

Chinese Citizenship.—The main defect of both the new permanent Constitution and the Nanking Provisional Constitution is that they presuppose the existence of other laws. A constitution is the root out of which all legislation must spring; it is the source and basis of all laws. So it is not considered proper and sufficient to provide merely in the Chinese Constitution that

"All persons legally belonging by nationality to the Republic of China shall be citizens of the Republic of China"

without defining in clear terms who are entitled to such citizenship either by right of birth (*jus sanguinis* or *jus soli*) or by naturalization. In my previous article I urged the necessity of a proper definition of Chinese citizenship. Though the provisional Constitution has been amended, the new amendment does not seem fully satisfactory.

The Survey of the Huai River

BY CHANG CH' IEN

MR. Shen Ping Huang, chief of the Huai River Survey Bureau, handed me a copy of catalogues listing tables and drawings, about 2400 in number, and said to me that they were the results of the survey of the Huai River during the last twelve years (1910-1922), the cost of them being three hundred thousand dollars. Interruptions for the appropriation of funds caused many suspensions of work, and, preparations of tables and drawings were usually made complete in the following year after the survey. Hence for the years 1922 and 1923 data can be completed only at the end of 1924. More tables and drawings will be added in the future.

I was much affected by his remarks. In undertaking a work, to quote from the Old Classics, one must have full preparedness without which he can hardly succeed. Indeed preparedness makes the turning-point for success and failure.

Forty years ago, I visited, for the first time, the old Huai River channel, which had been usurped by the Yellow River. The latter had then changed its course to the north not very long ago. There seemed nobody who could have had any interest in or paid any attention to this serious problem however. I began to feel that if the Huai River problem was not solved before long the entire region of Kiangpei would be in a state of danger at any time.

In the latter part of the Tsing Dynasty, I advised H.E. T'uan Fong, Viceroy of Liangkang, and urged him to improve the Huai by leading it to the sea thru its old channel, with plans both for the temporary and permanent work. The Viceroy was kind enough to accept my proposal, though not without reluctance, and had a survey bureau established under the superintendence of Yang Wen Ting, Tau-tai of Huai Yang. For some unknown reason, the surveyors falsely made the level of the river bed in their drawings six meters higher than it was which gave an idea of difficulty to improve it. The project was thus dropped.

When I was chairman of the Kiangsu Provincial Assembly, I availed myself of the opportunity and made a motion for the improvement of the Huai. On the decision of the Assembly, the Huai River Survey Bureau was consequently organized with its headquarters in Tsing Kiang Pu.

In the survey, it was found out that there was actually no great difference of level between the bed of the old Huai River and the adjoining ground, except in a very few cases where the channel bed happened to be about three feet higher than the bordering ground.

In 1906 the Central government spent some six million dollars in relief work after the great flood of that year. The government had spent, nevertheless, not a cent on the improvement of the Huai.

The Huai River Survey Bureau stopped its work in 1912 when the revolution broke out, and resumed surveys in 1915. Thereafter, political changes in the government caused six interruptions of work.

As it was (and still is) my longing to improve the Huai, I used every effort in encouraging the staff to continue the work. The staff exercised their activity with perseverance. Surveys went as far as Anhwei and Honan. Never were the surveyors discouraged, in spite of the many obstacles and even threats arising from the local people. The data collected has been used and certified as accurate by European and American engineers in their personal surveys.

The work of the present Bureau before 1919 was largely topographical survey of rivers and their cross sections. The largest expenditure ran from seven thousand dollars upward per month. The field of survey extends from the estuary of the Huai up to its very source, including the Yi and Shih rivers and the Grand Canal, together with other branch streams of them. Maps with contours of the region east to the Tientsin-Pukow Railway, south to the old Yellow River, west to the Hungtse Lake and north to the Huai, and of the regions north to the old Yellow River, east to Malingshan and west to the Salt canal, clear up to the Shantung Boundary including lakes, were prepared.

From 1919 the Bureau confined its time principally in securing data on temperature, rain gauge, river gauge and silt tests.

To sum up, works achieved by the Bureau are: survey, collection of data, investigations and tests. They are preparations for the undertaking of the improvement of the Huai River.



Chang Ch'ien, Jr.

Chang Ch'ien, Jr., son of the author of the accompanying article, is in Japan completing a round-the-world tour at the head of a commission to investigate industrial conditions and means of communication in Europe, America and Japan. The commission met with most cordial receptions at all points touched and every facility was accorded the members for the accomplishment of their aims.

The problem of the Huai River has recently attracted much attention from the Chinese as well as foreigners. People of the three provinces concerned, viz, Kiangsu, Anhwei and Honan, ought to be informed of the preparations actually made in order that they may comprehend the many concerns of the problem, and, maybe, thereby devise means and plans for its improvement. In short, the Huai River is a common interest of the three provinces, and a problem that can not be solved upon pure theory.

Altho the financial condition of the government is very bad now, there must not be any suspension of funds for the River Survey Bureau in order that more data can be continuously secured.

Data for 1922 and 1923 will be published soon after they are prepared.

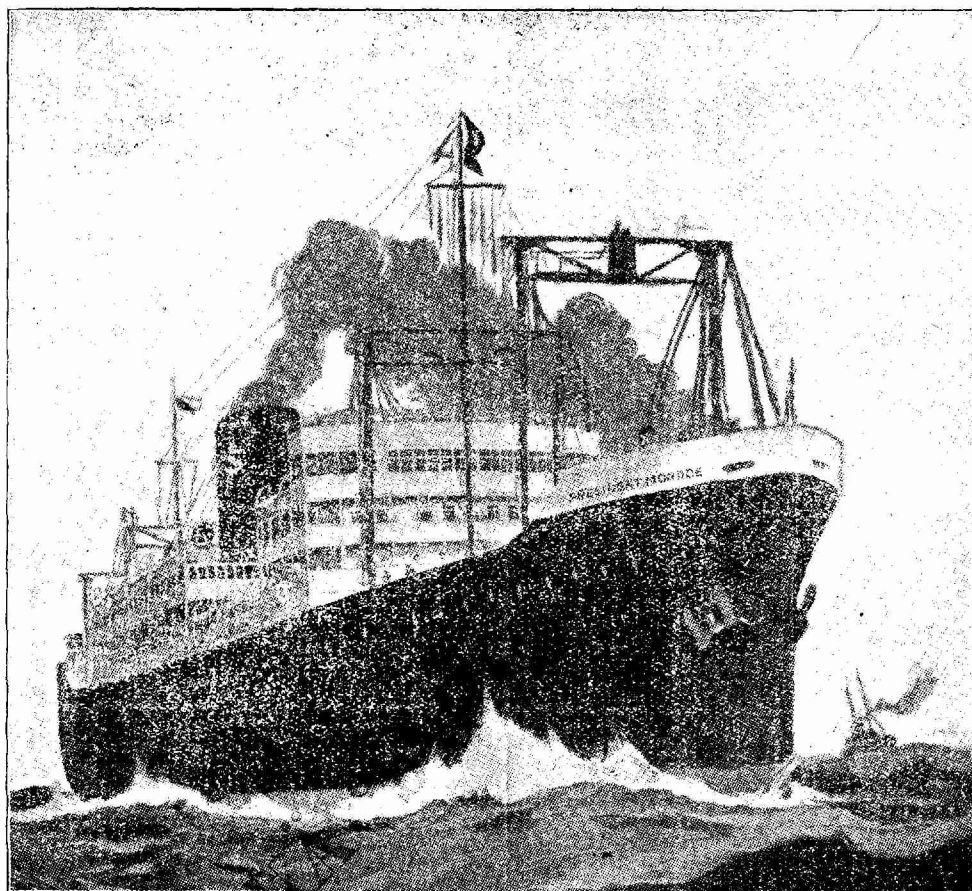
Data listed in the catalogue are 38 volumes, 45 rolls and 2328 sheets of tables and drawings.

Kiangsu Grand Canal Improvement Board,
Yang Chow, China. April 10, 1924.

Tinkham Heads New Insurance Company

Under the presidency and managership of F. L. Tinkham, well known in Shanghai insurance circles, the Chinese American Underwriters has been organized to transact fire, marine and life insurance business. The new company has taken over the assets and offices of Tinkham and Company at 11B Nanking Road and has applied for incorporation under the laws of Delaware. Insurance is already being written by Mr. Tinkham and Herbert Ling, a prominent Chinese businessman and former government official, who is vice-president of the Chinese American Underwriters. The incorporators, besides Messrs. Tinkham and Ling, are F. J. Raven, W. S. Fleming and G. A. Moszkowski. Agencies have been secured for the United States Fire Insurance Company, Russia Insurance Company of America, Asia Life Insurance Company, International Life Insurance Company of St. Louis, and for the marine department of Globe and Rutgers. It is believed that the growing demand in China for all forms of insurance and the excellent connections of Messrs. Tinkham and Ling assure the new company a most successful future.

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Mah-Jongg

By Newman Levy in the Saturday Evening Post

Three thousand years the Chinese played
With bamboo, ivory and jade.
Though scarce three months we've played the game
No single rule remains the same.

Chinafying America

By Jonas Cunningham in the Saturday Evening Post

"Do you play mixed pongs?"
"Only with doubling honors. Last night I held the thirteen united brothers."
"No!"
"Yep! Pongs of ones and nines, and one to eight of bamboos."
"I saw a hand of three quongs last night. All from the wall."
"That's a tough one to get."
"It certainly is. And he had his own season twice."
"I had a quong of red dragons day before yesterday and I went mah-jongg with a plum blossom in an unseasonable time."
"Yes, that's a good one. But did you ever see the gates of heaven?"
"No. But what do you think of this hand? Three chows of bamboos, a quong of my own wind—"
"Do you play heavenly twins?"
"No, we've given it up."
"So have we. No one plays it any more."
"So long."
"So long."

Mah Jongg

By Edgar A. Guest in the Cosmopolitan

Perhaps it's a game; I don't say that it's not;
For friends I like well seem to play it a lot;
And they seem to attack with a heathenish glee
That wall-building game of the heathen Chinese.
But I'll swear I grow weary and pallid of brow,
Awaiting the tile that permits me to "chow;"
And I don't see much sport sitting all the night through,
Building my hopes on the seven bamboo.
"A good game! A great game," its patrons declare;
But I've not discovered the thrill that is there.
I've played it; I've watched it; I've studied it o'er—
Paid East Wind his doubles and doubted the score,
Paid West Wind his trifle and South Wind his fee,
And never been sure what was coming to me.
The Chinese may like it, but I'm no Wung Foo—
I can't sit and wait for the seven bamboo.
Pedro and euchre and bridge whist and rhum,
Cribbage and hearts I will play as they come;
Any old game that you fancy I'll try,
But love for the Chinaman's sport I deny.
Perhaps I'm too old, or perhaps I'm too young,
But I can't sit all night waiting chances to "pung,"
And I haven't the patience of Minister Wu,
With that tedious wait for the seven bamboo.

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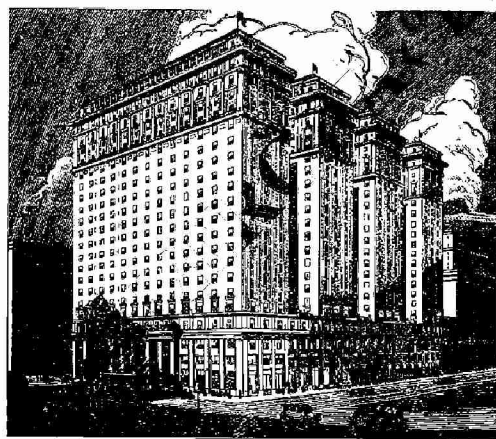
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Who's Who in China



Judge Tachuen S. K. Loh

(陸守經字達權)

Mr. Tachuen S. K. Loh, better known as Judge Loh in Shanghai, was born January 1885, in Tsingpoo, near Shanghai. He received his early education in Nanyang College, and, after a brief career as a school teacher and a newspaper editor both in Shanghai and Peking, he went in 1911 to the United States as a Government Student and graduated from the University of Wisconsin in 1914. In January 1915, he joined the Ministry of Justice as a junior clerk in the Civil Department. He soon attracted the attention of the Ministry and was appointed a member of the Judicial Reform Bureau. In August 1916, he was jointly appointed by the Ministries of Justice and Foreign Affairs as Magistrate of the Amoy Mixed Court, which office he held for a year and a half when he was transferred to Shanghai as Chief Justice of the Shanghai District Court. While magistrate of the Amoy Mixed Court, he made many judicial reforms and was much admired by both Chinese and Foreign communities. Being a native of Kiangsu, his appointment as Chief Justice of the Shanghai Court was rather an exception and consequently he was transferred to K'angsu. In 1918 and 1919, he concurrently held the offices of Assistant Sub-director of the Repatriation bureau of German and Austrian subjects and also Chief of the Executive Department of the Enemy Property Bureau. In 1920, he was made Chief Secretary to Gen. Ho Feng-Lin, Military Governor for Sunkiang and Shanghai, and has held that office up to the present. For some time in 1922, he was also director of the Telegraph Material Supply Department, Shanghai, and Advisor to the Ministry of Communications. Aside from his official capacities, Judge Loh is Vice-President of the American Returned Students' Club, Shanghai Member of the Board of Trustees of Fudan University, and a Member of the Chinese and Foreign Famine Relief Committee.

Mr. I. Hsuan Si was born on December 5, 1886, at Fu Shan Hsien, near Chefoo. He received his early education at the Anglo-Chinese School (Shih Yi Hieh Kwan) Temple Hill, Chefoo; Shantung Christian Union College then at Weihsien, Shantung, now a part of the Shantung Christian University at Tsinanfu, Shantung; and for a few months, in Tsing Hua College, Peking. In 1911, Mr. Si continued his studies in the United States on a Tsing Hua Boxer Indemnity scholarship. In the United States, he attended four universities, viz. University of Illinois, University of Michigan, Yale and Harvard. He holds the B. A. degree from

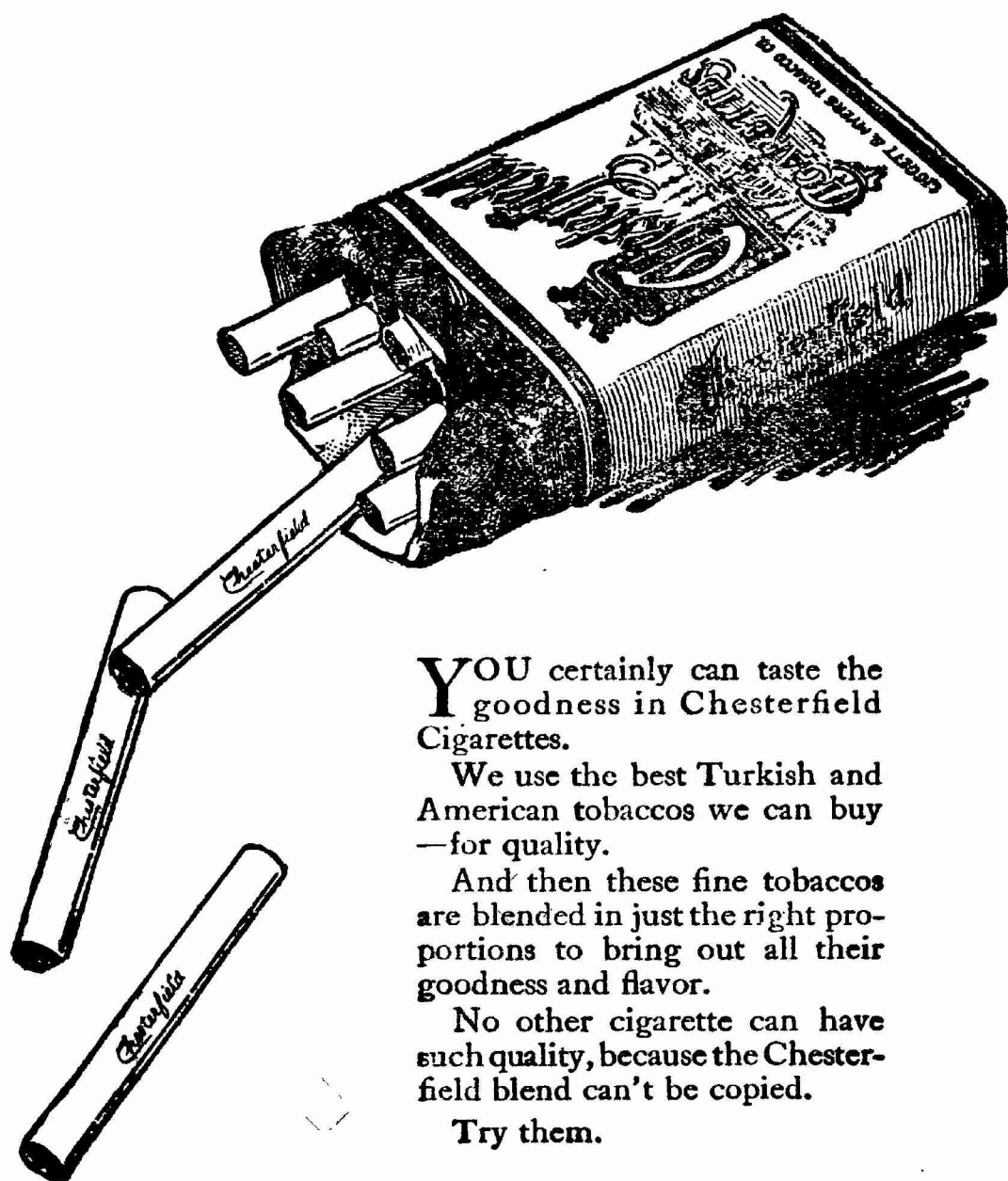


Mr. I. Hsuan Si

史譯宜

Michigan '13, and the M. B. A. (Master in Business Administration) from the Harvard Graduate School of Business Administration '16. After his studies in 1916 he was the first Chinese student ever admitted as an apprentice into the private banking firm of J. P. Morgan & Co., N. Y., where he acquired a valuable experience in American banking systems. In 1917, Mr. Si went to France from America serving as the first Chinese Y. M. C. A. Secretary among the Chinese laborers in French employ. In France, he stayed in Lyons for some time and later was given charge of the Rhone Zone in connection with Y. M. C. A. work. Upon his return to China, Mr. Si taught one year in the Commercial College of the Nankai University, Tientsin, acting at the same time as Dean of the Business School, and then continued his Y. M. C. A. work in Tientsin for another year. Resigning from the Tientsin Y. M. C. A. he entered into the railway service in the Ministry of Communications. From that Ministry he was sent as one of the attaches to the Chinese Delegation to the Conference on the Limitation of Armament at Washington, 1921-2. Upon his return from Washington, he served in the Ministry of Communications as English secretary to the Director of the Railway Department as well as Acting Assistant Chief of the Traffic Section in the Railway Department. In the summer of 1923, during the Lincheng Bandit episode, he was sent as one of the two delegates to Tsaochuang to represent the Ministry of Communications. In September 1923, he was appointed Acting General Superintendent of the Materials Department of the Kiao-Tsi Railway, and is now Superintendent of that department located at Tsingtao.

Colonel Lu Yung-chien, Chief of the Woosung and Shanghai Constabulary who succeeded General Hsu Kuo-liang, is 47 years of age and a native of Tungshan, Chekiang. He received his preliminary education at the Police School in Paoting, Chihli province, graduating in 1902. He then entered the Tientsin Training School for Police and completed the course in 1903, after which he joined the police service at Kingchiayao, Chihli. In 1904, Colonel Lu became Chief of the fourth precinct of the first station in Tientsin and the next year he was promoted to be Chief of the third station in Tientsin. In 1908, he was appointed chief of the general affairs section of the Kiangsu Constabulary and the following year was transferred to Hankow as Advisor on Police Matters. Leaving the service in 1913, Colonel Lu was made director of the Bureau of Commercial Taxes at Fengtai. In the following year, he became resident director of the Bureau of Mines, where later he was appointed acting co-director. In April 1916, he was transferred to Hunan in connection with the Mission to Pacify Western Hunan, and in 1917, he returned to Chihli as Chief of the Auditing Bureau of the Metropolitan Waterway Conservancy Board. In 1918, Colonel Lu was appointed advisor to the Woosung and Shanghai Constabulary,



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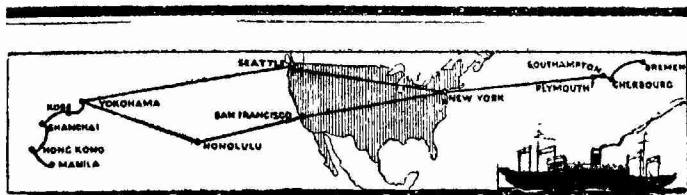
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Colonel Lu Yung-chien

李 芷 宇 鎮 榮 國

in which office he became Chief of the Secret Service in 1920 and was promoted to be Chief of the General Affairs Section in 1923. On November 10, following the assassination of General Hsu, Colonel Lu was appointed acting Chief of the Constabulary. In recognition of his accomplishments he has been awarded the 3rd class Chiaho Medal.

Chinese Student-Employees in America Doing Well

Joseph Bailie, formerly connected with the College of Agriculture and Forestry of Nanking University but now engaged upon a plan of placing Chinese students in the United States in the various factories for practical training, has just written a letter to Prof. Reiser of Nanking University stating that the 100 Chinese students now employed in the Ford Motor Car Company are making excellent progress and are giving satisfaction as are also a number of other students employed in the Allis-Chalmers factory, Worthington Pump Company, Chevrolet Motor Works and other industries. The Bacyrus Company manufacturers of steam shovels and Fairbanks, Morse and Company are also employing Chinese students on a part time basis, the remainder of their time being spent in college.

Marquette University located in Milwaukee, Wis. has announced that it will accept 100 Chinese students on a self-supporting basis this year and the University of Wisconsin will also accept a considerable number. The United Verde Copper Mining Company at Jerome has agreed to accept a considerable number of students over 19 years of age of good health and physique on a payment basis of G. \$4.80 a day on a two year course basis intended for students in mining engineering.

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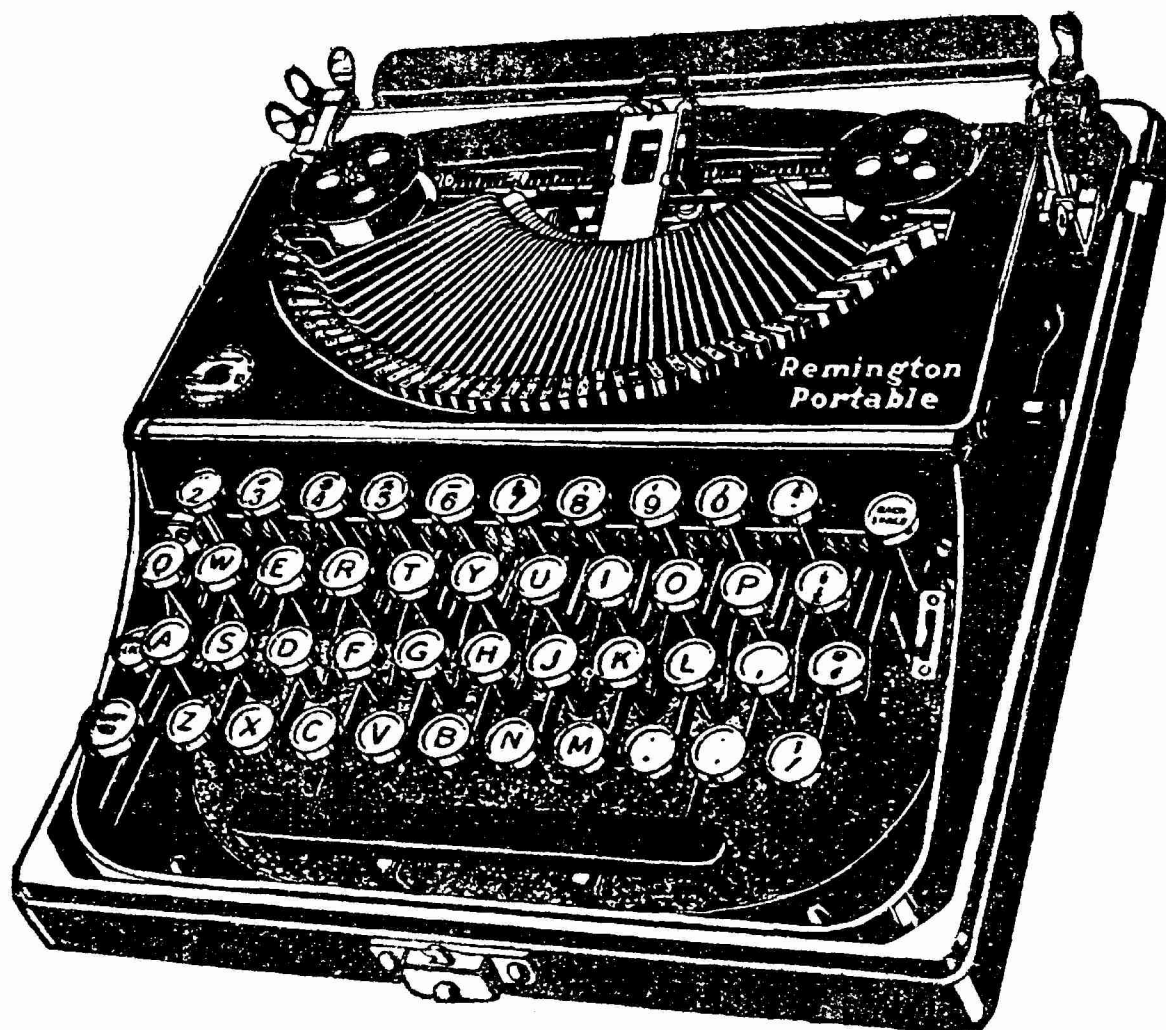


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Men and Events

A son, Frank Chauncey, was born on April 4 to Mr. and Mrs. L. Carrington Goodrich of the China Medical Board at Peking.

Thirty American boy scouts are spending the week camping out at Chinkiang under the leadership of R. M. Vanderburgh.

Born, to Mr. and Mrs. E. G. Whittaker at the Victoria Nursing Home, Shanghai, on April 10 a son, Robert Edward. Mr. Whittaker is the representative in the Far East for the Universal Winding Company of Boston.

Robert T. Bryan, Jr. of the law firm of Davies and Bryan has just completed the first volume in English on the subject of Ancient and Present Chinese Law, which is to be published soon by the Commercial Press of Shanghai.

The Columbia Country Club will hold its annual Easter party and egg hunt for members' children under 14 years of age on the afternoon of April 20. The egg hunt begins at 3 P. M., children being divided into two classes, under and above 6 years.

Rev. Charles L. Boynton, acting principal of the Shanghai American School, left for Peking on April 13 on a two weeks' trip to attend the second annual conference of the Association of Schools for American Children in the Orient held on April 16 and 17.

Among the passengers leaving Shanghai for America on the *President Jackson* last Sunday were Mrs. J. C. Shengle, Fred Vincent of the American Foreign Insurance Association, P. H. Bordwell of the Robert Dollar Company, and Reverend and Mrs. H. W. White.

L. E. Nantz and Mrs. Nantz sailed from Shanghai on the *President Jackson* on April 13. Mr. Nantz was formerly in the Shanghai Admiral Oriental Line office and latterly in charge of the same company's Singapore office. He will continue on the Admiral Oriental staff in America.

R. E. Olds, automobile manufacturer of Lansing, Mich., accompanied by Mrs. Olds, was in Shanghai on April 13 as a member of the party touring the world on the s. s. *Samaria*. Mr. Olds was formerly president of the Oldsmobile Company but is now interested in the manufacture of "Reo" cars.

The U. S. S. *General Alava*, the *Huron*, and the destroyers *Tracey*, *Borie* and *Barker*, under command of Admiral

Thomas Washington, anchored off Shanghai on April 15 and 16. They are the forerunners of most of the Asiatic squadron which will arrive in detachments during the coming month.

American organizations in Shanghai will give Judge Milton D. Purdy of the United States Court for China, and Mrs. and Miss Purdy, a dinner and reception at the New Carlton on Thursday evening, April 24. Reservations are being made through D. J. Lewis of the American Chamber of Commerce.

Manuel Quezon, Sergio Osmena, Claro M. Recto, and Hadji Gulam Rasul, prominent Filipino politicians bound for America in the cause of Philippine Independence, were entertained by the Shanghai Filipino community at Ningpo Hall last Saturday evening. The party left the following day on the *Jackson*.

Frederick Strauss, a member of the well known international banking house of Seligman and Company of New York was a passenger on the round-the-world touring ship, *Samaria* which touched at Shanghai for a few hours on Sunday, April 13. Mr. Strauss departed for Peking for a brief visit before proceeding to Japan to rejoin the ship.

The printed matter by-law on the agenda of the ratepayers' meeting of the Shanghai municipal council held on April 16, again aroused Chinese publishers who are strongly opposed to the registration of printers and publishers which the by-law seeks to require with a view to controlling seditious and other undesirable publications. After the shelving of the press licensing by-law in 1919, the Council has annually presented the registration by-law but there has never been a quorum present to vote on it.

The International Committee for the Improvement of Sericulture in China with headquarters in Shanghai and stations at Soochow, Nanking, Kashing, Chukih, Tsinyang and Hengling, has just issued its fifth annual report, which has several pages of photographs and charts and statistical data. During the year 1922-23, 2,400,000 selected silk-worm eggs were distributed at a cost of \$4 per 100 layings as compared with 700,000 at a cost \$5 per hundred in 1922, and 250,000 at a cost of \$12 per hundred in 1918. The Chinese government grant has been increased to Tls. 107,000 for the current year.

ARE YOU LOOKING BEYOND SHANGHAI?

Shanghai is a large city—probably the largest city in Asia at the present time. The Shanghai Post Office estimates the population of Shanghai and environs to be approximately 2,500,000 people. This great population constitutes an important trade field. The problem of supplying food, clothing, building materials, house furnishings, and luxuries for Shanghai's great population is an important matter, but Shanghai is not China.

Beyond Shanghai is China—the Republic of China—with more than 400,000,000 people, who also eat and wear clothing, build houses and purchase luxuries in accordance with their financial abilities.

Shanghai alone constitutes an important market, but there isn't enough business in Shanghai alone for all of the large business concerns of various nationalities which have their offices here.

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naturally has a larger circulation in Shanghai than in any other city of China for the reason that the percentage of literacy in China is highest in this area, but the *Review* goes beyond Shanghai to the great territory of China. In every important city in China there are Chinese (and foreigners) who are interested in the development of China. These men are leaders in their communities and what they say and do—and buy—has a great influence upon those who surround them.

These leaders in the various cities and towns and villages are the "key" men that you must reach with your merchandising message if you expect to do business in a large way in China. The *China Weekly Review* has always concentrated on the large field of China beyond Shanghai and has built up a considerable circulation among the leaders all over the country as the following list of cities and towns reached by the *Review* in the various provinces shows:

<i>Anhui Province</i> 10 cities and towns	<i>Kansu Province</i> 3 cities and towns	<i>Shantung Province</i> 12 cities and towns
<i>Chekiang Province</i> 15 cities and towns	<i>Kiangse Province</i> 8 cities and towns	<i>Shensi Province</i> 5 cities and towns
<i>Chihli Province</i> 16 cities and towns	<i>Kiangsu Province</i> 21 cities and towns	<i>Szechuen Province</i> 8 cities and towns
<i>Fukien Province</i> 14 cities and towns	<i>Kwangsi Province</i> 4 cities	<i>Yunnan Province</i> 3 cities and towns
<i>Honan Province</i> 14 cities and towns	<i>Kwangtung Province</i> 24 cities and towns including Hongkong and Macao	<i>Manchuria</i> 11 cities and towns
<i>Hunan Province</i> 7 cities and towns	<i>Kweichow Province</i> 1 city	<i>Sinkiang</i> 1 city
<i>Hupeh Province</i> 15 cities and towns	<i>Shansi Province</i> 7 cities and towns	<i>Korea</i> 5 cities and towns

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News from North China

The President issued a mandate on April 4 calling for generous subscriptions to a fund for building a national library in Peking. According to the mandate, the site should be located at a convenient point accessible from all parts of the city and the work should be started at the earliest possible date. A sum of \$300,000 has already been raised for the purpose including the donation of the President.

For the first time in Peking, permission has been granted by the local police authorities for men and women to sit together in boxes in Chinese theaters. Hitherto, different sections were provided for the two sexes, with only one exception of a modern "movie" theater which is managed entirely on a foreign plan. However, women were still not allowed in the stalls, or orchestra, in Chinese theaters.

The Mukden authorities took a forward step in the way of prison reform when they recently decided to erect a separate cell for housing convicts of youthful ages. At present, there are about 1,580 prisoners in Mukden and in it criminals of all ages are housed, thus making it extremely difficult to provide them with different disciplines according to their age.

General Wu Pei-fu, Inspector General of Chihli, Shan-tung and Honan, celebrated his fifty-first birthday on April 10 at Loyang, Honan. More than one thousand delegates and representatives from Peking and provinces together with a large number of high officials gathered at the General's yamen and tendered their congratulations.

Premier Sun Pao-chi who has been on sick leave since the rupture of the Sino-Russian negotiations, has cancelled his leave and began to attend office on April 7. He is not going to resign as generally reported, owing to the support of Wu Pei-fu and other influential personages. Dr. Wellington Koo, Minister of Foreign Affairs, is still confined in bed convalescing from an attack of influenza.

Peking is observing "sanitation week" from April 7 to 13. Arrangements have been made with the Peking Union Medical College for the supplying qualified doctors to give lectures on various subjects of sanitation and disease prevention at various places in Peking.

Arbor Day or the annual "tree-planting festival" was observed in Peking by thousands of people on April 5, when a large number of high officials gathered at the Temple of Heaven and planted pines. Dr. W. W. Yen, minister of agriculture and commerce, acted as the representative of the president. Ministers of other departments and their representatives were also present.

A group of thirty-one Japanese educationalists have arrived in the Chinese capital on an inspecting tour through China concerning educational conditions in connection with the Cultural Relief movement of China. They are now being entertained by both the Chinese and Japanese communities in Peking. Another group composed of seven Japanese students of the husbandry department of the Imperial University has just passed through Peking on a tour through China.

A report from Hsi-an, Shensi, states that the Lunghai railway, which has been running from Hsuechow, Kiangsu, to Tungkuan on the Shensi border, will soon be extended to Hsi-an, the capital of Shensi. General Wu Pei-fu has sent a corps of engineers for surveying work and arrangements have also been made with the Shensi authorities to detail a part of the Shensi troops for road construction.

The ministry of interior has recently wired to the provinces stating that in view of the small areas of the districts, political and economic development has been retarded and that it is necessary that smaller districts should be amalgamated with big ones with a view to saving administrative expenses and expediting industrial development. There are at present in the country 1,726 districts. They will hereafter be reorganized into 1,000 districts.

Wang Ke-ming, minister of finance, again tendered his resignation to the president and the cabinet on April 9. The president refused to accept his resignation and immediately deputed the chief secretary of the president's office to ask him to cancel it. The cabinet, after a general meeting, referred Mr. Wang's resignation to the president. Difficulties in raising funds for the government were the stated reasons.

Feng Hsi-yung, president of Peiyang University of Tientsin, whose resignation is being demanded by the students and graduates of that institution, has discharged 185 students from the university owing to their refusal to attend classes. The struggle between the president and the students of that university has been going on for a month.

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A group of thirty students of Nanyang College of Shanghai under the leadership of Professor Hsieh Er-tung arrived in Peking on April 5 and are inspecting various institutions of interest in Peking. They will soon leave for Taiyuanfu, Shansi, from where they will turn southward to Hankow where they will inspect the Hanyang Iron Works.

The ministry of communications has sent a commission composed of Chuan Liang, former acting vice-minister of communications, two foreign experts and a staff of assistants to Tsingtao for the first annual inspection of the Kiaochow-Tsinan Railway since its redemption from Japan. They arrived at Tsingtao April 6 and will start investigation into the conditions, resources and improvements of the railway as soon as the other members of the commission arrive there. The work will last for three weeks.

The Cabinet meeting of April 10 approved the recommendation of Kao En-hung, director general of the Kiaochow administration, for the abolition of the office of the commissioner of foreign affairs at Tsingtao and the establishment of a diplomatic bureau to take its place.

It is reported that the Peking Tramway will begin to run on July 1. The Peking Tramway Company recently petitioned that the building materials mostly imported from France be exempted from import and likin taxes and the Chungwenmen octroi, but their petition has been rejected by the bureau of customs administration.

Henrik de Kauffmann, newly appointed Danish Minister to China and Japan, arrived in Peking April 6 and was met at the station by a group of Chinese and foreign friends. Although Mr. Kauffmann is the accredited minister to China and Japan, it is expected that he will spend most of his time in Peking.

Henry P. Lewis, of Winchester, Kentucky, is now in Peking on a business and pleasure trip. Mr. Lewis was formerly captain of a machine gun company of the 15th Infantry stationed at Tientsin. As an agent of E. R. Squibb and Son and other firms in the States, Mr. Lewis's territory covers China and the Philippines. He expects to leave soon for Hankow.

J. W. Ziegler, vice-president of the Philadelphia Publishing House of the John C. Winton Company, arrived in Peking several days ago from Manila where he has spent three or four months in connection with the business of his firm.

Mr. and Mrs. B. Knollenberg of New York City are now in Peking staying at the Grand Hotel des Wagon Lits. They will spend a few days here before starting for Shanghai, whence they will leave for the States via Japan. Mr. Knollenberg is a Harvard man, and one of the lawyers in the office of Elihu Root, former secretary of state.

The Cabinet has rejected the proposal of the Commercial Press of Shanghai to reprint the Sze Koo Chuan Shu, the voluminous Chinese encyclopedia. According to the plan of the Commercial Press, the books, which are now in the library of the Manchu House, were to be shipped to Shanghai, but the Chinese government opposes the handling of such valuable books by a commercial firm.

C. B. Prettymen, a retired real estate dealer of Philadelphia, accompanied by his wife, is now in Peking. They are on a round-the-world tour and have travelled extensively through Europe, Egypt and India, and will soon continue their journey via Japan.

Hon. Jay G. Allen, prominent attorney of Seattle, Washington, and his wife are now spending a few days in Peking. They are also on a trip round the world and will resume their journey eastward through Korea and Japan.

H. E. Byram, president of the Chicago, Milwaukee and St. Paul railway, accompanied by Mrs. Byram, Miss Helen Byram and Miss Louise Chamberlain, all of Chicago, arrived in Peking April 8 and are guests at the Grand Hotel de Pekin. This is their first trip to China. They will stay in Peking for a week or more and then visit Tientsin, Harbin and Vladivostok.

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News from Central China

The Japanese flotilla of gunboats arrived in port from Shanghai this week. This torpedo flotilla, comprising the flagship "Takami" and 14 other boats, is under the command of Rear-Admiral Iida. The boats remained at Hankow until April 9, when they returned to Shanghai.

A Russian by the name of T. E. Bomko has been incarcerated in the military prison at Wuchang pending trial by Court Martial on a charge of smuggling arms into the Special Administrative District of Hankow.

At the French Municipal elections held on Friday, April 4 at the French Municipal Council, Messrs. A. Picca and F. Stucki were elected members of the council to serve for the coming year.

According to information from official circles, it is said that the German Consul at Hankow sent a note yesterday to the Bureau of Foreign Affairs in Changsha stating that Dr. Schmalzried had lost more than Mex. \$800 worth of luggage and clothing when he was captured by brigands, last November and therefore, the Hunan government should be held responsible for repaying the loss.

The Commissioner of Foreign Affairs, and other chiefs of Wuchang Bureaus have gone to Loyang to aid in the celebration of Marshal Wu's fiftieth birthday. Han Kwang-tsah, chief secretary in the Civil Governor's yamen, will represent General Hsiao Yao-nan on the occasion.

The tea business presents a gloomy prospect in Hupeh this year according to one of the local Chinese papers as many of the tea dealers fear to go to Puchi and Yanglotung because of the prevalence of brigandage in those regions. Another reason is that the tax levied on tea is too heavy.

The Tsu Yu Flour Mill which was built two years ago, and equipped with the newest American machinery has been in difficulties on account of shortage of money to start operation. The mill cost more than Tls. 360,000, but is indebted to the amount of Tls. 200,000. Attempts have been made to raise money from other sources, and to invite co-operation of local capital but without avail. A few days ago fresh efforts were made to interest the representative of Szechuan military officials.

The British Consul-General here has sent a despatch to General Hsiao Yao-nan asking that full protection be afforded to British missionaries in the Anlu district and the surrounding regions, as brigandage is prevalent in that section of the province.

The Hankow Chinese Banking Association has selected five delegates to attend the coming National Banking Conference at Peking. They are the managers of the Bank of China, the Kingcheng Bank, the Whafung Bank, the Chungfu Bank and the China and South Sea Bank.

At a meeting of cigarettes dealers, it was decided that the cigarette companies be requested to charge the same price for goods in both Concessions and in the native city, and that if a higher price is demanded for goods of the same quality in the native city, no business would be done with the company concerned.

In order to relieve the financial distress of the Hupeh government, the Wuchang government is said to have decided to re-assess the various commodities taxable at the various likin offices. The various Chambers will agree to this proposition only on the condition that the provincial finances be subject to public supervision, that the administration be conducted in accordance with the budget to be immediately made and proclaimed, that no "squeeze" be allowed, and that no unnecessary delay is to be caused on examination of the taxable commodities.

Owing to the opposition of the Wuhan Chambers of Commerce, the plan of the Wine and Tobacco Bureau to have the Wuhan wine tax contracted out has been dropped.

General Yuan Tsu-min has sent an urgent telegram to General Hsiao Yao-nan demanding that a large quantity of ammunition be sent to him immediately, as thousands of rounds of cartridges have been used in recent operations against General Hsiung Keh-wu in Szechuen.

Allister Macmillan, F. R. G. S., of the *City Press* London, left Hankow on Friday by the *Woosung* for Shanghai. He has been visiting for a month in Hankow gathering material for another edition of "Seaports of the Far East," a publication which has become a useful contribution to the literature of the Far East.

Yang Tu, the moving spirit in Yuan Shih-kai's restoration of monarchy, has arrived in Hankow, and is reported to be connected with mining affairs in this province.

The Ichang Chinese Chamber of Commerce has sent a despatch to the Wuchang government strongly opposing the proposal of the government that the different classes of goods be reassessed, so that the likin revenue may thereby

be increased. The Hankow Chinese Chamber of Commerce has also refused to increase the number of stamps to be sold every month under contract, and has given reasons for its inability to effect the increase chiefly because of the depression of business in this center.

The ransom for the two Japanese officers on board the *Yiyang Maru* was paid by the Japanese Minister, but will be returned by the Peking government from the salt surplus of the coming month according to arrangements made between the two parties. The *Yiyang Maru* was pirated on September 7 last and the officers have been held for ransom since.

Excavating operations on the government iron mines at Yocheng, Hupeh, have been started again. The Wuchang government has sent a regiment of soldiers to the mines to protect the workers against the local people, who desire to work the mines for themselves.

The Committee of the National Sporting Competitions which is to be held at Wuchang in May this year has sent a petition to Tuchun Hsiao Yao-nan requesting him to effect the issue of free train and steamer tickets to scholars who will come from the different provinces to Wuchang for these competitions.

Owing to the loss of tea in transportation to foreign countries when improperly packed the Shanghai tea guild has asked the merchants dealing in Pingshui and Luchwang tea to pack it in stronger boxes than formerly. This tea comes from Kiangsi province.

A banquet was given by Tuchun Hsiao Yao-nan in his yamen on Sunday afternoon in honor of the senior officers of the Japanese Naval Squadron at present in port. The Japanese Consul-General was present, and the banquet was also attended by a large number of important local Chinese officials.

Mrs. Annie M. Lok, who has been here for several days collecting funds for the Tieh Hwa School for Destitute Chinese Boys and Girls, has now returned to Shanghai. She reports that funds raised from both Chinese and foreigners amounts Tls. 300.

A Chinese telegram from Changsha records that the Commander-in-Chief, General Chao Heng-ti, has handed in his resignation to the Assembly. The members held a special meeting on Thursday for the discussion of the matter, when it was decided that the resignation should be refused.

Tuchun Hsiao Yao-nan has reported to the Ministry of War that the Hangyang Government Arsenal has supplied the Szechuan General Tang Shih-hou with about \$1,000,000 worth of cartridges. Payment will be secured by detaining the deposit funds of the old Szechuan Railway Company.

Hankow, April 12, 1924.

News from South China

General Liu Yu-shan of the 7th Corps of Dr. Sun Yat-sen's mercenary army has telegraphed to his generalissimo that one of his divisions, commanded by General Chen Tien-ti, has been disarmed by the troops stationed along the West River districts of Kwangtung. General Liu has expressed the fear that the troops there may not be as loyal to the generalissimo as previously believed.

Yang Shu-kan, a Szechuanese occupying the office of the civil governor of Kwangtung, has written to some leading Cantonese citizens asking for co-operation in the matter of raising funds for the proposed northern expedition against Peking. It is believed that the Cantonese will be only too glad to raise funds for the proposed northern expedition, provided that Dr. Sun Yat-sen is able to move the troops northward and give assurance that the districts in Kwangtung as well as Canton will submit to his authority.

Dr. Chao S. Bok, a Columbia University graduate and for nearly a year chief justice of the supreme court for South China, has been relieved of office by Dr. Sun Yat-sen. According to the local press, Dr. Bok was ordered to vacate his office the other day because of his refusal to take active part in Kuomintang politics. Dr. Bok did not believe that judges should take an active part in politics.

The native bankers in Canton have resumed their business upon the withdrawal by Dr. Sun's secretary of finance of a proposed tax on the export of subsidiary coins from Canton and the repeal of the order for bankers to use stamped paper in addition to the usual revenue stamps for their transactions.

Among those who have protested against the recent order of the Canton authorities for a tax of one dollar for every 120 bottles of soda water sold by the manufacturers to the retailers was Bertrom Giles, H. B. M. Consul-General in Canton. A. S. Watson & Company, a British firm, is one of the largest soda water works here.

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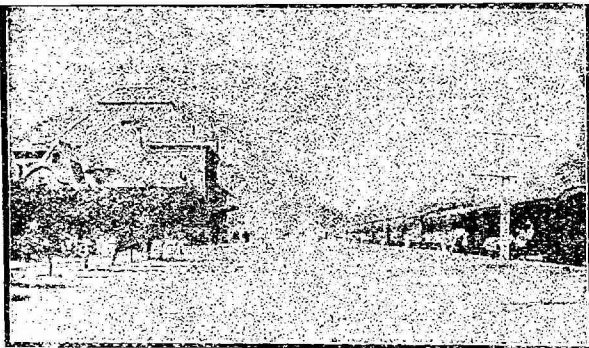
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Kiaochow-Tsinan Railway

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The Sai Hing Co. s. s. *Seixal*, plying between Canton and Wuchow, West River, was pirated on the night of April 3 near Kiukong, the pirates killing three watchmen and one passenger, wounding one and capturing more than forty men and women for ransom. From the office of the purser of the steamer alone valuables in the sum of nearly \$10,000 were taken. The *Seixal* carries the Portuguese flag. Later reports intimate that the loss in loot amounts to \$170,000.

The Canadian Motor Bus Company, running 22 cars, is now the only bus service company in Canton city, the Kwangtung Tramway Company having suspended operations pending readjustment of its differences with the municipal authorities. Canton now has 32 garages with 114 cars for hire in addition to the bus service.

Governor-general Merlin, of Indo-China, will visit Canton about April 23 in the interest of closer friendship and more trade between the two countries. M. Merlin will be accompanied by the presidents of the chambers of commerce of Saigon and Hanoi.

The returned students in Canton are raising \$40,000 for a club house to be erected on a lot they bought two years ago at a cost of \$25,000. At present there are more than 200 returned students in Canton.

Oscand Hill has replaced F. B. Tolliday as postal commissioner in Canton. Mr. Tolliday has been ordered to report for duty in the co-directorate-general of posts in Peking.

Foreign residents in Canton are no longer depending on the Chinese Telegraph administration for the handling of their cables abroad, turning their messages over to the war ships of their respective countries in Canton pending the repair of the Chinese lines. The Canton-Hongkong line has been cut for several months. Hongkong-Canton service now has to be made by way of Kongmoon and Macao.

General Hsu Chung-chi, for a time the leading Cantonese commander under Dr. Sun Yat-sen, failed to arrive at Canton a fortnight ago as expected from Shanghai, but the welcome arch erected in his honor still stands in front of the Kwangtung provincial assembly.

The Kuomintang Party in Canton, as expressed through its organs, is in favor of resuming relationship with Russia upon the preliminary terms as agreed upon between Dr. C. T. Wang and L. Karakhan, the Soviet representative.

The Kuomintang in Canton is in process of reorganization and is recruiting laborers, farmers, students, soldiers, and police into the party. Clubs are being formed among the different classes. Liao Chung-hoi, for a time occupying the office in Canton usually occupied by the civil governor of Kwangtung, is chairman of the committee on labor organizations and is devoting the greater part of his time to interesting the working class in joining the party.

While it is true that the Hunanese in Canton have replaced the Yunnanese in defense of the eastern front in Kwangtung, the general headquarters of Dr. Sun Yat-sen, through the police, denies the rumor that the Yunnanese are losing favor and that there will soon be a clash between the two units.

Upon protest of the British Consulate-General at Canton, the military authorities are considering the repeal of the recent tax on the sale of alcohol, mostly an imported product for the time being.

Canton will try the popular education movement, as first experimented with by the National Committee of the Y. M. C. A. in China and later followed by several other cities in the North, to teach grown-up persons 1,000 Chinese characters within a minimum of time and cost. There will be a mass meeting in the first public garden in Canton to inaugurate the movement April 12.

Canton, April 5, 1924.

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The compilation of a book of this kind is most difficult for the reason that while it is a simple matter to obtain biographical sketches of certain classes of the Chinese such as the militarists whose deeds and misdeeds fill the public press, it is most difficult to obtain information regarding the leaders of China in such fields as education and the professions who are really accomplishing great things for their country, but regarding which little is published in the press.

For this reason we make a final appeal to the readers of the *China Weekly Review* for photographs and biographical sketches regarding any of their friends who have accomplished something of importance which causes them to stand out above the crowd and to deserve notice in "Who's Who in China." Such biographies should contain the date and place of birth, place and extent of education, positions held, political affiliations if any, societies of which he is a member, notable philanthropies, etc.

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Threat of Discriminatory Freight Rates Is Latest

Government bankruptcy, fighting and banditry have been responsible for business depression in China the last three years. It has been hoped that lessened internal strife, if not the complete termination of it, would make for better government finances and order, and allow business to enjoy at least a measure of prosperity. However, the respite in warfare seems to be wholly lost to foreign business and development of China's resources by obstacles which are being raised contrary to foreign treaty rights, such as the cigarette tax, the trade-mark law and most recently the threat to raise railway rates on foreign goods transported over government lines. Foreign commerce chambers are wide-awake to the situation, but the diplomatic corps seems quite content so long as it drafts a note to the Chinese foreign ministry stating its views, regardless of whether the note is answered, to say nothing of its being accepted. In Japan, all attention is fixed on the elections set for May 10 when it will be decided whether or not the common people are to have an increased share in the government. It is probably to be the most important election ever held in Japan, and one that has added significance because of earthquake reconstruction problems to be decided and the attitude Japan is to assume toward the United States if the immigration bill now before the United States Congress becomes a law as seems most likely. The independence question in view of Congressional discussion and approaching presidential elections, continues to be of absorbing interest in the Philippines, Filipino and American missions now being en route to America to lay both sides of the question before the American representatives and people.

Russia Makes No Progress with China or Japan

Soviet Envoy Karakhan is still in Peking, but there has been nothing done towards a resumption of negotiations with China for recognition of Russia. Japanese Minister Yoshizawa and Karakhan seemed to be making some progress but negotiations were suspended on April 14 till the attitude of the Japanese government on specific questions could be ascertained. The Japanese officials arrested in Vladivostok have not yet been released, and, while that is not the reason for the halt in negotiations, it does not promote Japanese confidence or goodwill. Karakhan has received instructions from Moscow to send Envoy Epinoff to Canton to arrange diplomatic relations between Sun Yat-sen and the Soviet. It is not considered doubtful that negotiations will be successful in that quarter.

Peking Politics

Marshal Wu Pei-fu's birthday celebration at Loyang on April 10 was the event of the week in Chinese politics. Hundreds gathered at his home and congratulations were showered on him from all over China. At such affairs much lobbying is done and policies of real import are not too serious for the occasions. Immediately following, Wu went to Peking, evidently to inquire into Sino-Russian negotiations which he wishes to see progress and, likewise, it was rumored, to take up the question of electing a vice-president, of which China is in dire need particularly on account of the age and poor health of President Tsao Kun.

Kiachao-Tsinan Rail Head Changed

On April 9, it was learned that Liu Kun, managing director of the Tsinan-Kiachao railway, was to be transferred to the managership of the Lunghai railway, and Shao Hung-chun, manager of the latter line, given Liu Kun's post. Shao is a close friend of Wu Pei-fu and was a member of the staff of Kao En-hung, now administrator of Kiachao, when he was minister of communications. Kao continues the energetic start he made the first of the month to clean-up Tsingtao and the district, and presumably the transfer in railway management is a part of the movement, though Liu Kun's loyalty to Wu Pei-fu was evidenced by his transfer of \$50,000 monthly to the fleet at Tsingtao in the face of very severe criticism from businessmen and the Japanese.

Finance Minister Resigns Again

Finance Minister Wang Keh-ming has submitted his resignation at least a couple of times in the last few days. He evidently sees no light ahead for the government's finances. He recently raised about \$3,000,000 and paid enough on account of salaries to keep the machinery running. Payment of 70 per cent of the Parliamentarians' salaries was sufficient to induce them to shelve the impeachment proceedings they have been trying to instigate against

Minister Wang. President Tsao refuses to accept Wang's resignation, however, and it seems as if he would have to run away from the job to be relieved of it. The ministers of education and justice have expressed their desire to resign, but no particular attention is paid to them. The report that Premier Sun Pao-chi was to quit because of the Sino-Russian fiasco has been officially denied and the Premier remains at his post. Wellington Koo, minister of foreign affairs, is also back at work, so that it looks as if the Cabinet would survive the crisis through which it passed when Russian negotiations came to a deadlock.

Lincheng Indemnity Claims

The latest report on the Lincheng Outrage Indemnity claims is that the Chinese government is willing to pay the Class A claims made by captives' ministers, but will reject the Class B demands for compensation for loss of liberty, suffering and indignities while in the bandits' hands. The American minister recently submitted additional claims amounting to \$48,000 on behalf of Americans, and the British minister additional claims amounting to \$70,000, both reserving the right to submit still further claims.

Reuters recently gave the press a long exposition of the trade-mark question, which, after giving a history of the question since 1903, defined the present status as follows:

"On April 5 the Diplomatic Body sent a brief Note to the Waichiaopu stating that the assurances given by the Chinese government were not sufficient for the Foreign Representatives in Peking to advise their governments to recognize the Chinese Trade-marks Law or to advise their nationals to register their trade-marks with the new Trade-marks Bureau. The Note pointed out that, whether or not their nationals registered their trade-marks, cases of complaint would have to be dealt with in accordance with the stipulations of the treaties concerning the settlement of disputes between Chinese and the nationals of the Treaty Powers.

"The present position, therefore, is that while the foreign Powers have not recognized [the Law,] foreign firms may register if they feel so inclined but the Trade-marks Law will not free China from her treaty obligations to protect foreign trademarks. In the event of cause for complaint being found by foreign firms the aid of their Legations will have to be invoked. Each complaint is thus likely to become a separate diplomatic question, involving trouble and delay to all concerned. The Chinese government, the Legations, and foreign firms will be saddled with needless work. Official and commercial business will be retarded. The Chinese government will have to deal diplomatically with questions which ought to be settled expeditiously and satisfactorily by the Trade-marks Bureau. The loss of revenue to the Bureau will be a small matter compared with the failure to have the Law recognized by the Powers, and make the Bureau an organ competent to deal finally and satisfactorily with its own affairs.

"In these circumstances it may be hoped that the Chinese government will see its way to meet the very reasonable demands made by the Diplomatic Body, take the necessary steps to ensure the efficient administration of the new Law, and thereby set up machinery in China for the protection of foreign and Chinese trade-marks, which has become an urgent necessity owing to the industrial development in China."

Would Abolish Mixed Court

Agitation for rendition of the Mixed Court to the Chinese dates back almost ten years and the proposal made at that time was practically the same in the main points as a proffer which the Chinese government is now making again. The incidence of the Great War brought a halt to negotiations at that time, but the agitation has recurred from time to time since.

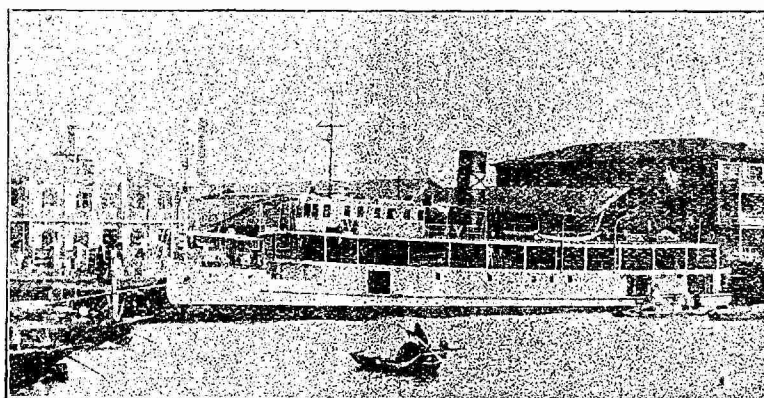
The Waichiaopu some time ago demanded of the Diplomatic Corps that cases which arise in the Settlement of Shanghai between Chinese citizens should be dealt with in the Chinese Courts.

The Diplomatic Body informed the Waichiaopu on April 10 that it was prepared to discuss the rendition of the Shanghai Mixed Court but in agreeing to such discussion, to which the Chinese government attached much importance, the Diplomatic Body desired to point out that there were other outstanding matters affecting the welfare and development of the enlargement and improvement of Shanghai to speedy solution of which the Diplomatic Body and the foreign communities of Shanghai attached no less importance. Among these were enlargement and improvement of the port, extension of the present boundary of the Settlement and the question of Chinese and Foreign representation on the Municipal Councils of the International Settlement and the adjoining Chinese areas. The Diplomatic Body, therefore asked the Chinese government to embark in negotiations

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affecting these matters as well as the rendition of the Mixed Court.

The Chinese government is opposed to extending the Shanghai Settlement, and Chinese around Shanghai who would be affected are also opposed.

Threat to Raise Freight Rates on Foreign Goods

The *China Press* recently carried the following news under a Peking date line of April 11:

"The Ministry of Communications today announced that it proposes to increase freight rates on all of the railroads under its control on all goods shipped by foreigners. The Diplomatic Corps has filed a protest against the proposed action with the Waichiaopu, declaring that it is a direct violation of the agreements entered into by China at the Washington conference limitation of armaments.

"The Diplomatic Corps hold that under these agreements the government of China undertook not to discriminate between nationals in the matter of railroad rates. The Waichiaopu, following receipt of the protest of the Powers, referred the matter to the Ministry of Communications, which, in turn, interpreted the agreements entered at Washington to mean that China cannot discriminate between the various foreign nations in China, but that the government has a perfect right to give Chinese citizens a better rate on the Chinese railroads.

"The matter is generally viewed here as an attempt to force the Powers to take measures to obtain ratification of the Washington agreements, which so far has been withheld by France pending settlement of the Gold Franc dispute. The problem is unsettled up to the present time."

Subsequently, the *United Press* reported: "The advanced freight rates on foreign goods shipped on the Chinese government railways, announced recently by the Ministry of Communications, will probably not be applied except on the Peking-Hankow Railway where the higher tariff is already being enforced. The tendency of the Peking government to hold off enforcement of the higher rates elsewhere, it is said, is due to the protest lodged by the representatives of the Powers here."

GENERAL NEWS SUMMARY

April 9. Plan of finance experts investigating Germany made public, recommending that fiscal and economic unity of Germany be restored, reorganization of Reichsbank with international board to stabilize currency, railways handed over to international company for 50 years, and foreign loan of 800,000,000 gold marks, all of which would make possible reparation payments beginning with billion gold marks first year. United States, Great Britain and France do not regard scheme as final solution.—Coolidge defeats Johnson in Illinois Republican U. S. presidential primaries.

April 10. Americans in Philippines to send anti-independence commission to Washington.—Hugo Stinnes, Germany's greatest industrialist and financier, dies.—King and Queen of Rumania visit Paris to sign pact with French government.

April 11. London *Telegraph* opines France and Japan have alliance covering Pacific and Chinese questions.—U. S. round-world fliers reach Sitka, Alaska.—Coolidge criticizes Senate methods in oil scandal investigation.—Bids opened for 30 coast guard craft to cost about \$25,000,000 to prevent rum-running into United States.—British shipbuilders make lockout effective throughout England.

April 12. Allied Reparations commission officially approves finance experts' plan. German government favors acceptance of plan.—British battle cruiser *Australia* sunk off Sydney in accord with Washington Treaty.—British Empire Exhibition opening at Wembley April 23 represents cost of \$50,000,000.

April 13. U. S. round-world aviators make successful flight from Sitka to Cordova, Alaska.

April 14. Japanese Ambassador Hanihara lodges strong protest with U. S. secretary of State regarding immigration bill passed by House.

In the United States Court for China

LAMOUR ELLA GREENSTONE,
Plaintiff

vs.

MEYER I. GREENSTONE,
Defendant.

Cause No. 2405

Civil No. 895

SUMMONS

The President of the United States of America

To the United States Marshal for China and his Deputies—

GREETING:

You are hereby commanded to serve this Summons and a copy of the complaint in the above entitled action upon the defendant—

Meyer I. Greenstone,

if found within the jurisdiction of this Court and to notify him to be and appear before this Court on or before the sixtieth day after service hereof to file his written answer on oath.

(SEAL)

WITNESS the HONORABLE MILTON D. PURDY, Judge
of the United States Court for China, at Shanghai,
China, this 25th day of March, 1924.

W. A. CHAPMAN
Clerk.

Excerpt from Regulations, Section 8: On proof of due notice, judgment by default shall be procured against any defendant failing to appear and file his written answer as required.

In the United States Court for China

LAURA GILMAN,

Plaintiff,

vs.

MORRIS GILMAN,

Defendant.

Cause No. 2407

Civil No. 897

SUMMONS

The President of the United States of America

to the United States Marshal for China and his Deputies:

GREETING:

You are hereby commanded to serve this Summons and a copy of the complaint in the above entitled action upon the defendant—

MORRIS GILMAN,

if found within the jurisdiction of this Court and to notify him to be and appear before this Court on or before the sixtieth day after service hereof to file his written answer on oath.

(SEAL)

WITNESS the HONORABLE MILTON D. PURDY, Judge
of the United States Court for China, at Shanghai,
China, this 27th day of March, 1924.

W. A. CHAPMAN
Clerk.

Excerpt from Regulations, Section 8: On proof of due notice, judgment by default shall be procured against any defendant failing to appear and file his written answer as required.

New Books and Publications

Accounting for Chinese Industries

Outlines of General Accounting By John Earl Baker,
Adviser, Ministry of Communications; Commercial Press,
Peking: 1924.

The title of the book suggests that the author is going to supply Chinese students in applied economics with a treatise on the general principles of the science of accounting, but a careful examination of the book shows that Mr. Baker's method of exposition is unusual. Instead of presenting the fundamentals in a general way, the author takes the Chinese railway accounting system as the basis of his treatment—general principles are presented through the medium of particular applications. "The principles underlying the classifications promulgated for railways are applicable to other lines of business," is his point of view.

The book contains twelve chapters. In the first chapter the principle of debit and credit and the basis of double entry are briefly presented. It is followed by a chapter on "Why accounts are classified." The classifications of accounts on the Chinese government railways are adopted. According to the system, accounts are classified under the following general heads:

1. Capital accounts
2. Operative Expense accounts
3. Operative Revenue accounts
4. Income accounts
5. Profit and Loss accounts
6. Surplus Appropriation accounts
7. Balance Sheet accounts

One chapter is devoted to each "general head." Each chapter begins with a brief description of the general feature. Then the "general head" is subdivided into "main heads" and "major heads," "minor heads" being omitted. Whenever the fundamental principles of accounting are not strictly observed in Chinese railway accounting, such as rental earned below \$1,000 counted as an operative revenue, interest on government investment as fixed charges, etc., reasons are given to justify the practice. In order to verify that "the principles underlying the classifications of accounts prescribed for railways are applicable in devising classifications of accounts for other kinds of business" (P. 202), Mr. Baker, in the last chapter, gives his suggestive classifications of accounts for telephone companies, electric light and power companies, garage companies, carriers by water, and hotel companies.

The book will undoubtedly prove very helpful to many of the younger railway accountants and also for students of accounting generally. The teacher in railway accounting will find it an excellent textbook written in simple English. The book, however, is not a primer in accounting as one might be led to suppose by the title. The principles are interwoven with applications to such an extent that it is of fullest value only to those who have a fair knowledge of elementary accounting.

S. T. Chao

St. John's University, April 5, 1924.

IN THE AMERICAN CONSULAR COURT FOR THE DISTRICT OF SHANGHAI, CHINA

In re Last Will and Testament
of
PHILIP L. BICKEL,
Deceased.

Estate No. 45

NOTICE

Pursuant to an Order of said Court, notice is hereby given to all persons having claims against the estate of PHILIP L. BICKEL, deceased, to present the same, with vouchers to the undersigned on or before Oct. 12, 1924, and all persons owing debts to said deceased are hereby notified to make payment of the same in due course to the undersigned.

FLOY B. BICKEL,
Executrix,
1251, Rue Lafayette,
Shanghai, China.

April 12, 1924.

Outline for the Study of Current History, Finance and Commerce of China

by

H. F. MACNAIR, Ph. D.

Professor of History and Government, St. John's University

This outline, primarily for the use of middle schools and colleges, is based upon the Review for last week. It is not intended that the whole of the outline be used but that those topics be selected that are found to be adapted to the class.

1. International Affairs

Topic 1: Piracies and Outrages in South China

References: Pp. 217-19

Questions: 1. In what way chiefly have the attacks on both natives and foreigners in South China differed from those in North China? 2. Is this peculiar to the present time only? Explain. 3. What methods are being adopted by boats and steamers in the south for self-protection? 4. How long have piracies been common in the waters of Canton, Hongkong, and Macao? 5. Who is responsible for the list here published? 6. What type of outrage aside from piracy is mentioned here? 7. What recent attacks have been made on foreigners and natives in other parts of China? 8. What steps are being taken by the Central government and by the representatives of foreign governments to protect both foreigners and Chinese?

Topic 2: U. S. Boxer Remission

References: P. 220

Questions: 1. What resolution has recently been introduced into the American Senate by Mr. Lodge? 2. Why does this resolution stand a poor chance of receiving favorable action? 3. What connection can there be between the question of the return of Boxer Indemnity and the question of repayment of foreign debts by the countries of Europe? Explain carefully. 4. What is said of the present status of the remainder of the Boxer Indemnity? 5. What suggestions have been made for the expenditure of the remainder of the Indemnity? 6. What is the Hwai River Conservancy scheme? 7. At what time does the last payment on the Indemnity fall due? 8. What are Mr. Underwood's conclusions?

Topic 3: Sino-Soviet Relations

References: Pp. 240, 242, 223

Questions: 1. How long a time has passed since the Sino-Soviet negotiations broke down? 2. What are the attitudes of China and Russia on the matter of resumption of negotiations? 3. What particular points does the Chinese government wish to have further considered? 4. How are internal politics mixed up in the question of Russian-Chinese relations. 5. What are the relations between Drs. Wang and Koo? 6. What is Marshal Wu Pei-fu's attitude? 7. What reason may be assigned to explain Russia's hesitation in re-opening the question of negotiations?

Topic 4: Repudiation of Lincheng Outrage Claims

References: Pp. 242-43

Questions: 1. What sum of money has been demanded by the foreign diplomats in Peking as indemnity for the Lincheng affair? 2. Why has this matter hung fire so long? 3. On what basis are the claims made? 4. What report has recently been spread as to the attitude of the Peking Cabinet? 5. If this report is correct on what grounds has the Cabinet decided to act? 6. What is likely to be the result?

2. Domestic Affairs

Topic 1: Agricultural Development in China

References: Pp. 221-3

Questions: 1. Why is it a recognized fact that "China is in the main an agricultural country"? 2. What is the position of agriculture in China, both at present and in the immediate future? 3. What, in most countries, "has been the force operative in raising the standards of agriculture"? 4. In what ways is China favored by nature? 5. How

many acres are under cultivation in China now? 6. What is usury, and what has been the effect of it upon the Chinese farmer? 7. Why is the International Famine Relief Commission interested in Chinese agriculture? 8. What proportion of the Chinese people are engaged in agriculture? the Japanese? 9. What is "surface farming"? 10. Name the causes of agricultural poverty in China. 11. What is the effect of fertilizer on the soil? 12. Why does this country need scientific irrigation?

Topic 2: Political Clouds Gathering at Peking

References: Pp. 223-4, 240

Questions: 1. Why is Wu Pei-fu spoken of as a juggler? What are the two "balls" which he is keeping in the air? 2. What type of man is Sun Pao-chi? What position does he hold at present? 3. Why is Wu suspicious of France and Japan? 4. What are the relations between Wu and Chi Hsieh-yuan? 5. In what way is the Chihli party divided? 6. What are the possibilities in reference to Chang Tso-lin? 7. Why is Dr. C. T. Wang considered to be a wise politician? 8. What are the "clouds" which are apparently hovering over Peking?

Topic 3: "Is There Hope for Szechwan?"

References: P. 230

Questions: 1. In what does Mr. Muir pin his hope? 2. Why? 3. Where are Messrs. Hsiung Keh-wu and Liu Yukiu at present? 4. What can you say of General Cheng Hsia Ling? 5. Why does Yang Sen think China is being reunited? Why do you agree or disagree with him? 6. Why did no congratulations reach General Yang Sen from Manchuria when he took the office of Civil Governor of Szechwan? 7. What plans for taxation has General Yang? 8. What may be said as to the office of Tuchun in Szechwan at present? 9. Is there hope for Szechwan? Explain.

Topic 4: South China

References: Pp. 238-9

Questions: 1. What is the Kuomintang doing at present in Canton? 2. What explanation is cited? 3. Who are holding the chief offices in Kwangtung now? 4. What can you say regarding taxation in Canton at present? 5. What municipal improvements are being made? 6. What is Dr. Sun's attitude toward the question of gambling in Canton? 7. How is the opium situation in Canton?

Weekly Cotton Market Report

By A. B. Rosenfeld & Son

China Cotton.—The market has again been active during the past week, with violent fluctuations, causing considerable nervousness throughout the China cotton markets. The steady undertone during the early part of the week brought about an over-sold condition from which we had a sharp reaction, started primarily by the sharp advances in Mid-Americans, in consequence of which our market responded in sympathy. The movement was rendered more vigorous by the covering of shorts in consequence of the continued small movement of commitments from the interior marts and a good demand from local spinners.

Regarding the outlook in the broadest way, as already referred to in our previous circulars, it is impossible to divorce the future course of the market from developments in the general situation of the world markets. Any improvements in this direction would, in view of the preponderance of the speculative short interest, no doubt be readily responded to by the markets.

Yarn.—The yarn situation has improved considerably, prices advanced some two to three taels as compared with last week. Sales by spinners and second hands were quickly absorbed by local and up-country trade interests and the market closed with a firm undertone.

Liverpool Market:—

Fully Middling Spot 19.28 Pence
" May 18.52 "
" July 17.81 "

Market:—Firm.

New York, April 10, 1924.

New York Market:—May 31.27 Cents
July 29.67 "
Oct 25.63 "
Dec 25.05 "
Jan 24.70 "
Spot 31.65 "

Market:—Firm.

Bombay, April 10, 1924.

Bombay Market:—

Broach, F. G. April/May Rps. 587 per Khandy
Fully Good Bengal, May " 541 " "
Fine Oomra, May " 574 " "

Market:—Firm.

Shanghai Market:—

Tungchow, Spot Tls. 50.00
Shanghai, Spot " 46.00
M-ginned, Spot " 46.50
Taichong, Spot " 47.00
Shensi, No. 1 Spot " 47.50
Ningpo, Spot " 45.00
Market:—Firm.

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Financial Notes

The Business Situation in America

Careful consideration of the prevailing business situation once more shows that mental attitude rather than concrete factors is the strongest influence especially in the share and bond markets. Unfavorable reports by copper, rubber and fertilizing companies—reflecting conditions of last year—are given supreme importance while those relating to general production, retail merchandising and commodity price trend are apparently almost ignored.

This, however, while partly attributable to the Washington investigation, is invariably the lull during the seasonable dull period previous to the greater activity of Spring.

Certainly in deliveries between manufacturers and retailers freight car movement reports show conditions far better than those of any previous period in our history. For the third week of February (the latest report available) they were 5,960 more than in the previous week, 31,532 larger than a year ago, and 21,654 in excess of those of 1922.

Increased production and consumption is, of course, largely related to either building construction or automobile output but the fact that they have held throughout the Winter and that commodity price trend has been conservative even against higher wage levels, safely justifies the opinion that with the advent of Spring the favorable aspects of this situation will broaden.

Despite contrary statements, the position of the farmer has improved since prices are better on wheat, corn and most other farm products. Reactions in cotton prices are obviously temporary.

March 15 marks the period of annual tax obligations. The Treasury, also, must meet Treasury security maturities amounting to \$700,000,000 due on that date and if tax returns are insufficient new financing may be necessary. These factors, however, appear to have been partly discounted, at least, in the share and bond markets.—(From the Financial Review.)

Russia's Foreign Trade

The story of Russia's foreign trade, past, present and prospective to which the recent events in the diplomatic and commercial world lend renewed interest, is outlined by the *Trade Record* of The National City Bank of New York. It shows that the foreign trade of Russia which totaled \$150,000,000 in 1850, and \$700,000,000 in 1900 crossed the billion dollar line in 1909 and was about \$1,500,000,000 in 1913, the year preceding the opening of the war. During Russia's participation in the war her imports showed a large increase and the total trade of 1917 was slightly in excess of that of 1913.

With the establishment of the Baltic States, the transfer of Russian territory to Poland, and the revolution of 1917, the foreign trade of the area which passed under control of the Soviet government fell to a small fraction of that preceding the war and totaled but \$35,000,000 in 1918, and \$20,000,000 in 1920, but advanced to \$140,000,000 in 1921, \$298,000,000 in 1922, falling to \$147,000,000 in the fiscal year ending with September 1923.

U. S. trade figures show imports from Russia in the calendar year 1913 at \$24,000,000 and exports thereto \$27,000,000; in 1923 the imports from Russia were \$1,382,000, and the exports thereto \$4,552,000. Our principal imports from Russia in pre-war years were hides and skins, wool, furs, and flax. Our chief exports to that country were raw cotton, agricultural implements, bindry twine, and machinery.

Trade Inquiries

Howard & Halback Co., 154 Nassau St., New York City, desirous of doing business with exporters of wool, furs, hides, skins and similar goods.

H. H. Swiss, c/o Ruggles Motor Truck Co., Saginaw, Mich. desires to secure representative for the sale of the Ruggles Motor Truck.

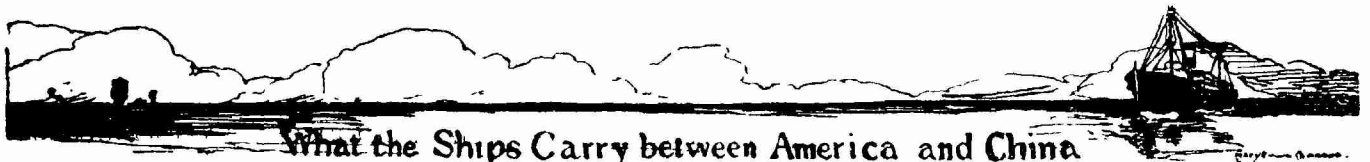
Westcott Motor Car Co., Springfield, Ohio, desire to secure suitable distributors and dealers for China.

The Kiaochow-Tsinan Railway is asking for tenders for brass scrap, copper ingots and tin ingots. Further particulars can be secured from the Shanghai American Consulate-General.

The American Consulate-General have received several American classified directories containing information on American business which can be consulted at the commercial office of the Consulate-General.

Miss A. Cummings, c/o John Taylor Dry Goods Co. 1034 Main St., Kansas City, Mo. desires to purchase Chinese basketry, porcelain ware, lacquer, brass bowls, etc.

The Chamber has received a request from a tobacco dealer in Brazil anxious to represent an exporter of Chinese tobacco.



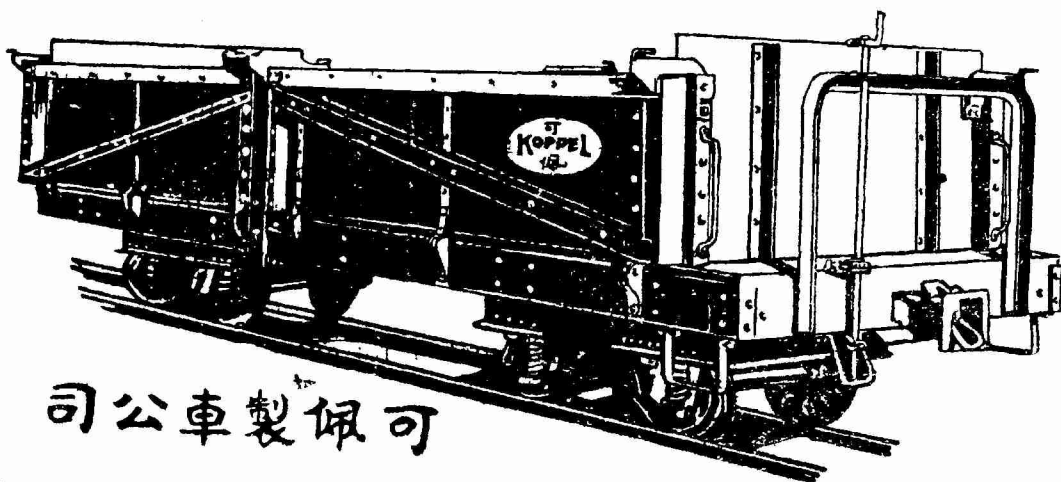
What the Ships Carry between America and China

Returns of the Shanghai Customs

By: Pls.—1 Picul or 133 1/3 pounds; Bls.—Bales; Pcs.—Pieces; Mills—thousands; Hk. Tls.—Haitian Tls., Customs Rate Mar. Tls. 1.28 equal Gold *

<i>S. S. Empress of Asia</i> , March 15		<i>S. S. Alaska Maru</i> , March 21.		Skins, Goat, Untanned., „ 46,491		Intestines, Pigs, Salted „ 35	
To New York.		To San Francisco.		„ Weasel, with Tail „ 5,000		„ Sheep's Salted „ 38	
Intestines, Pigs, Salted. Pls.	222	Tea, Green:		<i>S. S. President Madison</i> , March 19		Seed, Sesamum „ „ 154	
„ Sheep's „ „	70	Gunpowder, Ningpo... Pls.	324	To Seattle.		Straw Braid, Mottled „ „ 12	
Straw, Braid, Mottled „ „	22	Groundnuts, Kernels „ „	1,500	Egg, Whole, Dried „ „ Pls.		Wool, Sheep's „ „ „ 173	
Wool, Sheep's „ „ „	500	Intestines, Pigs, Salted. „ „	29	„ Yolk, Dried „ „ „		Skins Crosses, Lamb „ Pcs.	
Skin, Goat, Untanned „ Pcs.	9,700	Tallow, Vegetable „ „	1,673	Groundnuts, Kernels „ „ „		„ Dog „ „ „ 5,000	
„ „ Tanned „ „	350	To Philadelphia		Oil, Wood „ „ „		„ Badger „ „ „ 303	
„ Lamb „ „ „	5,000	Intestines, Pigs, Salted „ „	17	Umbrellas „ „ „ Pcs.		„ Goat, Untanned „ „ 16,000	
„ Rabbit „ „ „	23 000	To Chicago.		Carpets „ „ „ Hk. Tls.		„ Lamb „ „ „ 2,512	
„ Weasel, with Tail „ „	5,000			To Philadelphia.		„ Marmot „ „ „ 91,082	
<i>S. S. Knight Templar</i> , March 15.		Feathers, Duck „ „ „	200	Wool, Sheep's „ „ „ Pls.		„ Sheep „ „ „ 2,100	
To Boston.		To New York.		Carpets „ „ „ Hk. Tls.		„ Weasel „ „ „ 12,564	
Cotton, Raw, Bls.		Silk, Waste:		To Chicago.		„ Wolf „ „ „ 296	
77 „ „ „ Pls.	300	Other Ports, Bls. 16 „ Pls. *		Silk, Raw, Steam Filature:		Umbrellas „ „ „ Pcs.	
Skins, Goat, Untanned. Pcs.	12,642	Tea, Green:		Wild, other Ports, Bls.		Carpets „ „ „ Hk. Tls.	
To New York.		Gunpowder, other Ports „ „		30 „ „ „ „		<i>S. S. Pallas</i> , March 20, from U.S.A.	
Antimony Regul. „ „ Pls.	840	Young Hyson, other „ „		Groundnuts, Kernels „ „		Cotton, Raw, Bls. 1,025 Pls.	
Intestines, Pigs, Salted „ „	41	Ports „ „ „		Intestines, Pigs, Salted „ „		Iron Bolts and Nuts „ „	
Oil, Wood „ „ „	1,817	Hyson, other Ports „ „		To New York:		Ink, Printing „ „ „	
Wool, Sheep's „ „ „	474	Antimony, Regul. „ „		Silk, Raw, Re-reeled:		Leather, Sole „ „ „	
<i>S. S. Kongosan Maru</i> , March 10,		Arsenic Powder „ „		White, other Ports, Bls. 30 „		Paper, Unclassed „ „	
from U. S. A.		Bristles „ „ „		Silk, Raw, Steam Filature:		Prunes „ „ „	
Copper Ingots „ „ „	420	Camphor „ „ „		White, Shanghai, Bls. 35 „		Motor-cars „ „ „ Pcs.	
Wheat „ „ „ „	37,377	Groundnuts, Kernels „ „		Silk Pongees, Honan „ „		Scales „ „ „	
Timber:		Intestines, Sheep's Salted „ „		„ „ Shantung „ „		Shoes „ „ „ Pairs	
Softwood, Clear... Sup ft. 86,318		Oil, Camphor „ „ „		Bristles „ „ „		Hats „ „ „ Doz.	
		Seed, Sesamum „ „ „		Hides, Buffalo „ „ „		Cigarettes „ „ „ Mille	
		Hats, Rush „ „ „ Pcs.				Oil, Lubricating „ „ „ Galls.	
						3,000	
						42,961	
						<i>S. S. Hoyoisan Maru</i> , March 20,	
						from U. S. A.	
						Copper Ingots „ „ „ Pls.	
						Wheat „ „ „ „	
						168	
						30 000	

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In The United States Court for China

(Established by Act of Congress of June 30, 1906.)

JUDGE, Milton D. Purdy.

U.S. ATTORNEY, Leonard G. Husar.

U. S. COMMISSIONER, Nelson F. Lutton.

CLERK, William A. Chapman.

OFFICE HOURS 10-12; 2-4.

REPORTER, DEPUTY CLERK, R. T. PEYTON-GRIFFIN.

U. S. MARSHAL, }
DISBURSING OFFICER, } Thurston R. Porter.

DEPUTY MARSHAL, Wm. Van Buskirk.

PRISON PHYSICIAN, DR. T. B. DUNN.

TIENTSIN:

SPECIAL DEPUTY MARSHAL, Harry V. Fuller

All Notices, Announcements, Judgments, Orders and other Proceedings appearing in this department of THE WEEKLY REVIEW may be accepted as authentic.

MOTION DAY.

All contested motions and demurrers will hereafter be heard on Mondays, beginning at 10 A. M.; provided notice thereof with proof of service on the adverse party or his attorney shall have been filed in the clerk's office by 11 A. M. of the preceding Saturday.

ADMISSION TO THE BAR.

Hereafter, applicants for admission to the bar of this court, whether previously admitted elsewhere or not, will be examined on the following:

1. International Law, 33 Corpus Juris.
2. Extraterritoriality, 25 Corpus Juris, 299-331.
3. Extraterritorial Cases.
4. Extraterritorial Remedial Code.
5. U. S. Rev. Stats., secs. 4083-4131 (Act of Congress of June 22, 1860, 12 U. S. Stats. at Large, Ch. 179.)
6. China Court Regulations.
7. Act of Congress of June 30, 1906 (34 U. S. Stats. at Large, Ch. 3934).

BAR EXAMINING BOARD: { W. W. Blume
Roland S. Haskell
Walter Chalaire

Shanghai, China, January 2, 1923.

Minutes of Recent Proceedings

Hearings:

April 11, 1924, Cause No. 2412	U. S. v. Charles L. Bennett; plea of guilty entered; submitted.
" 11, " " " 2414,	U. S. v. James E. Filan; plea of guilty entered; submitted.
" 11, " " " 2415,	U. S. v. Hugh D. McCauley; testimony taken of J. J. Gavin, E. C. Stokes, defendant, T. Oshima, J. E. Filan; submitted.
" 11, " " " 2416,	U. S. v. William B. McCabe; plea of guilty entered; submitted.
" 11, " " " 2417,	U. S. v. Pedro Antonio; plea of guilty entered; submitted.
" 11, " " " 2418,	U. S. v. H. D. Roberts; plea of guilty entered; continued.

(Before the Commissioner)

April 11, 1924, Civil No. 53, H. Kunze and Co. v. Rembrandt Photo Co.; testimony taken of H. Kunze, C. L. Tom, P. Zetterlund, A. Elliott; submitted.

HENRY P. NEWMAN'S MANDCHURISCHE EXPORT GESELLSCHAFT m. b. h. PLAINTIFF, v. SAMUEL ZIMMERMAN and ROBERT H. CHANDLESS, doing business under the firm name and style of BATOUIEFF, ZIMMERMAN & COMPANY. DEFENDANT.

(Continued from last week)

both of which merely require defendant to pay "Roubles Fifty-thousand (Rbls. 50,000) is full of all claims." This was entirely within the discretion of the parties.

"If a particular kind of currency is contracted for, payment can only be made in that currency ***** Payment can be made other than in money if the contract so provides or the creditor consents thereto or acquiesces therein." 2

We are cited to decisions that where action is brought in another country than that in which the debt is payable the amount is to be computed in the domestic currency according to the rate of exchange at the time of trial or judgment or in some cases at the time of the breach complained of. 3 This action, however, is not brought in a jurisdiction foreign to that in which the contract was made or was to be performed, and unlike the cases cited, the question of the medium of payment is not left to the Court's discretion, nor to any other contingency, but is rigidly fixed by the stipulation upon which the judgment was based. Cases more nearly in point are those in which payment was contracted for in Confederate currency. 4 But there was no stipulation, as here, for judgment in that currency, which, moreover ceased to have either value or validity when the *de facto* government issuing it had ceased to exist.

We think the question here is purely one of payment, of which defendant seems to have made out a *prima facie* case. Plaintiff however, seems to contend that at the time when payment was required there were more than one kind of rouble and that it was contemplated by the parties that the judgment should be payable in this particular kind. Of this there is no evidence before the Court, but such evidence would seem to be admissible within the rule fixed by the Supreme Court 5 and we are not disposed to reject it, even at this late stage of the proceedings. We merely hold that on the face of the record defendant appears to have made payment in accordance with the terms of the judgment and that if the roubles deposited are not those contemplated it is for the defendant so to prove.

The motion for execution is accordingly

OVERRULED.

2. Cyc. XXX, 1210-1187.

3. *Md. Marbury v. Marbury* (1866) 26 Md. 8, 90 Am. Dec. 84; *Capron v. Adams* (1868), 28 Md. 529.
Pa. Lee v. Wilcocks, 1819, 5 S. & R. (Pa.) *48.
Wis. Hawe v. Woolcock, 1870, 26 Wis. 629.

4. *Di Ferdinando v. Simon Smits & Co.*, (1920) 3 K.B. 409
Manners v. Pearson (1898) 1, Ch. 581.
Lebeaupin v. Crispin (1920), 2 K.B. 714.
Barry v. Vanden Hurk (1920) 2 K.B. 709.

5. *Rives v. Duke* 105 U.S. 132, 26 L. ed. 1031, and citations; *Wilmington, etc. R. Co. v. King*, 91 U.S. 3, 23 L. ed. 186.